

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4663 of 2026

Arising Out of PS. Case No.-471 Year-2025 Thana- DARAUNDA District- Siwan

Byas Singh @ Vyas Singh @ Veyas Singh @ Beyas Singh, aged about 56 years, Male, S/o Let Majistar Singh, R/o Village- Bhikhabandh, P.S- Daraunda, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Naresh Singh, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Ramadhar Shekhar, Advocate
		Mr. Sanjay Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner; learned Additional Public Prosecutor for the State and learned counsel for the informant, who has appeared *suo motu*.

2. The petitioner seeks bail in connection with Daraunda PS Case No.471 of 2025 dated 28.09.2025, instituted for the offence punishable under Sections 109, 303(2), 3(5) of the *Bharatiya Nyaya Sanhita*, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on the alleged date of occurrence co-accused, Sonu Kumar, came at the house of the informant and told that co-accused, Nitesh Kumar, who is the son of the petitioner, was calling him and accordingly, son



of the informant, Umender Singh, accompanied him. Later on, at about 7.30 PM, the informant got information from the villagers that his son, Umender Singh, has sustained firearm injury near Bhikhaban Canal upon which the villagers and the sons of Umender Singh, namely, Rohit Kumar Singh and Mohit Kumar Singh rushed to the place of occurrence and found Umender Singh having firearm injury on his person. On being enquired, he told that Nitesh Kumar has fired the shot at him while co-accused Sonu Kumar had caught him.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. The FIR has been lodged against two accused persons, namely, Nitesh Kumar and Sonu Kumar. There is specific allegation against co-accused, Nitesh Kumar, that he fired on the deceased due to which he died. The petitioner happens to be the father of co-accused, Nitesh Kumar. There is complicity of Nitesh Kumar and Sonu Kumar in the alleged crime. In the entire FIR, there is no whisper against the petitioner. The petitioner is in custody since 26.10.2025 having no criminal antecedents.

5. Learned APP as well as learned counsel for the informant has opposed the prayer for bail. Learned counsel for the informant has submitted that the petitioner is the father of



the main assailant and on his instance, Nitesh Kumar, fired on the deceased due to which he died. Further submission is that the mobile of the deceased was recovered from the possession of the petitioner. It is further submitted that the petitioner was also present at the place of occurrence and on his instigation, the occurrence took place.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-VI, Siwan, in Daraunda PS Case No.471 of 2025.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

U		T	
---	--	---	--

