

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6931 of 2026

Arising Out of PS. Case No.-89 Year-2025 Thana- KARPURIGRAM District- Samastipur

Prabhat Kumar @ Prabhat Sahni son of Ashok Kumar Chaudhary @ Etwari Sahni @ Atwari Sahni Resident of Village- Nirpur, Ward no. 6, Ps- Karpurigram, Dist- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2026 Heard Mr. Abhishek Kumar, learned counsel for the petitioner and Mr. Anil Kumar Singh No. 1, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 23.11.2025 in connection with Karpurigram P.S. Case No. 89 of 2025 for the offences punishable under Sections 126(2), 115(2), 351(2), 352, 109(1), 3(5) of BNS and Section 27 of Arms Act.

3. The prosecution story, in brief, is that on 18-08-2025 at about 22:00 hours in which he alleged that, on 18.08.2025 at about 07:30 pm, he along with his uncle namely Gurfan were sitting with Sarpanch Saheb, in the meanwhile they got information that his brother namely Md. Anzar and Md. Tanweer were being assaulted at Railway Gumti No. 62, on



such information he along with his uncle reached on such place where they saw that his villagers namely (1) Vinay Kumar Mahto alias Vinni (2) Prabhat Sahni (3) Prakash Sahni, both are sons of Atwari Sahni (4) Niraj Paswan (5) Bherokhra ka Choubey and other unknown persons were abusing and committing fight with his brothers, who after seeing the informant tried to flee away but they chased by the informant and his uncle and in due course one Prakash Sahni gave blow of stick on his head which got injured on which he tried to flee away in the meanwhile Prabhat Sahni (Petitioner) abused and told to assault him on which one of them fired with pistol causing bullet injury on the informant due to which he fell down there, thereafter the nearby people took him to Sadar Hospital, Samastipur for treatment.

4. Learned counsel for the petitioner submits that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is further submitted that the petitioner is named in the FIR but from bare perusal of the FIR as well as statement of the injured person it appears that he has not stated anything about the petitioner instead he has stated that someone has fired upon him. It is further submitted that although he has received the injury



but the injury report suggests that the injury sustained is simple in nature and police after investigation has submitted charge-sheet and the petitioner is in custody since 23.11.2025.

5. The learned Additional Public Prosecutor, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that during investigation in paragraph-8 of the case diary that the petitioner has fired upon the victim. Apart from the said, the petitioner has antecedent of one case other than the present case but fairly submits that the same is pending before the Court of competent law.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Samastipur in connection with Karpurigram P.S. Case No. 89 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.



ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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