

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10256 of 2026

Arising Out of PS. Case No.-79 Year-2025 Thana- VIDYAPATINAGAR District- Samastipur

Hari Shankar Prasad @ Kundan S/o Ram Madan Singh R/o Village - Kalyan
Ganj Bangraha, Ward No. 13, P.S - Vidyapatinagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lakshmindra Kumar Yadav, Advocate Mr. Kumar Abhinav, Advocate Mr. Prabhu Narayan Prabhakar, Advocate
For the Informant	:	Mr. Dilip Kumar Roy, Advocate Ms. Rekha Ranjan Prasad, Advocate
For the State	:	Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-03-2026 Heard learned counsel for the petitioner; learned
counsel for the informant and the learned APP for the State.

2. The petitioner has prayed for bail in connection with Vidyapati Nagar P.S. Case No. 79 of 2025 registered for the offence punishable under Sections 61(2), 103(1) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the petitioner has fired at Surendra Singh the brother of the informant due to which he died on spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this



case. He also submits that from perusal of the FIR, it will transpire that the informant has given a number of bikes on which the petitioner and one other, namely Chandan, are alleged to have come. He also submits that the said bike does not belong to the petitioner or Chandan and the bike was recovered from the possession of the co-accused. He also submits that from perusal of the FIR, it is clear that there was a land dispute between the parties and that the petitioner has been framed in this case only due to the land dispute. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 27.09.2025.

5. The application for bail is vehemently opposed by the learned counsel for the informant and the learned APP for the State. Learned counsel for the informant submits that there is a direct allegation against the petitioner of firing, which is supported by the post-mortem report. He also submits that the petitioner is the main assailant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail at this stage, however the petitioner will be at liberty to renew his prayer for



bail after six months if the trial is not concluded.

7. Learned trial court is directed to expedite the trial.

(Ashok Kumar Pandey, J)

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