

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7936 of 2026

Arising Out of PS. Case No.-119 Year-2025 Thana- KASIMBAZAR District- Munger

Praveen Kumar @ Praveen Yadav Soin of Narayan Yadav Resident of
Mohalla- South Shastri Nagar, P.S.- Kasim Bazar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
CAV ORDER

4 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Kasim Bazar P.S. Case No. 119 of 2025 registered for the offence punishable under Sections 103(1), 3(5) and 61(2) of B.N.S., 2023 and Section 27 of the Arms Act.

3. The case of the prosecution in short is that the informant's son namely, Gautam works in a private company in Patna. On 01.05.2025, the informant has gone to meet his son. On 02.05.2025, when he was returning from Patna, his other son, namely, Sonu informed him on mobile that Govind Kumar(informant's son) was being taken out of the house by the petitioner and one Vikash and started assaulted him and when Sonu, Chotu and Gautam went to rescue, the gun was pointed and



Vikash has caught Govind and this petitioner fired at him due to which, Govind succumbed to the injury.

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 has further submitted that in this case, from perusal of the FIR, it is clear that the informant is not the eye witness rather his son Sonu informed him on mobile regarding the occurrence. It has further been submitted that from perusal of the FIR, it will transpire that the occurrence is of 02.05.2025 at 9:30 PM whereas the FIR was lodged on 04.05.2025 at about 7 AM. It has further been submitted that from perusal of the diary, it will transpire that the inquest of the deceased was conducted on 03.05.2025 at 2:40 AM and the postmortem of the deceased was also conducted on 03.05.2025 at 8:20 AM, despite that, the FIR has been lodged on 04.05.2025 and there is no explanation of the delay. It has further been submitted that from perusal of the postmortem report, it will also transpire that two bullet injuries were found on the person of the deceased out of which, one is entry wound and second is exit wound. It has been submitted that from perusal of the postmortem report, it transpires that the doctor conducting the autopsy of the deceased has not found any blackening or charring, it means, the fire was not made from a blank range rather the fire was made



from some distance, so the story that Vikash has caught hold the deceased and this petitioner has fired, seems improbable. If the fire is made from some distance, there is every possibility that the person who has caught hold may also receive the gun shot. In such cases, generally, the fire is made from blank range. From perusal of the statement of Sonu who is according to the case of the prosecution is the eye witness of this case, it is clear that he has stated that this petitioner has pointed the gun on the chest of the deceased and it is further stated by him that as they were proceeding, this petitioner fired at the chest of the deceased. It is further stated by him that this petitioner also fired at the Sonu and other. Learned counsel has submitted that as per FIR, one Vikash has caught hold the deceased and after that, this petitioner has fired at the deceased whereas as per the statement of Sonu, he is an eye witness, there is no role of Vikash rather it is stated that the petitioner has fired. Learned counsel has further submitted that from perusal of the entire material, it is clear that there was land dispute between the deceased and the petitioner and there is major contradiction in the case of prosecution in FIR and in the statement of the eye witness. The delay which has occurred in filing of the FIR speaks a lot, it has given time to the prosecution for concocting a story for implicating the petitioner. Moreover, the petitioner is languishing in judicial custody since 07.05.2025.



5. The application for bail is vehemently opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of learned CJM, Munger in connection with Kasim Bazar P.S. Case No. 119 of 2025 **with a condition that the petitioner shall cooperate in trial and shall remain physically present in the trial court on each and every fixed date by the learned trial court till the disposal of this case.**

(Ashok Kumar Pandey, J)

shubham/-

AFR/NAFR	NAFR
CAV DATE	11.03.2026
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