

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10266 of 2026

Arising Out of PS. Case No.-497 Year-2024 Thana- BARHARIA District- Siwan

Kamlesh Kumar Son of Shiv Pujan Singh Resident of Village- Karnapura,
P.S.- G.B. Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 20-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 109 and 3 (5) of the BNS and Section 27 of the Arms Act.

3. The case of the prosecution is that the petitioner had fired at the left thigh of the informant from a close range.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that from perusal of the FIR, it is clear that the informant along with two other persons was present at the place of occurrence and during the course of conversation, a scuffle suddenly ensued. It is further submitted that on a spur of moment, a single shot was



allegedly fired. It is further submitted that the fire arm injury was caused on the thigh of the informant which is not a vital part of the body. It is contended that that there was no intention to kill, as only a single shot was allegedly fired. Had there been any intention to commit murder, the petitioner would have fired multiple shots. Moreover, the petitioner is languishing in judicial custody since 26.11.2025

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail submitting that the learned trial Court has held that the allegation are grievous in nature and the petitioner has two criminal antecedent.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barharia P.S. Case No. 497 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -III, Siwan.

(Ashok Kumar Pandey, J)

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