

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14856 of 2026

Arising Out of PS. Case No.-566 Year-2025 Thana- BHORE District- Gopalganj

Malay Kumar Mishra S/o Krishna Kumar Mishra, Resident of Village-
Chhatiaon, P.S.- Bhorey, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Patanjali Rishi, Advocate Mr. Rupanshu Shekhar, Advocate
For the State	:	Mr. Zainul Abedin, APP
For the Informant	:	Mr. Adesh Raj Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-04-2026 The matter was heard *via* video conferencing mode.

2. Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

3. In the present case, the petitioner is apprehending his arrest in connection with Bhore P.S. Case No. 566 of 2025, registered for the offences punishable under Section 109 read with Section 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

4. As per prosecution case, two youths fired upon the informant with pistol and the informant received injuries in his right palm and one splinter wound below left eye. The informant named the petitioner and some other co-accused persons for being involved in the said occurrence as informant



has been opposing their wrongful acts.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Father of the petitioner is elected *Mukhiya* of the village and the wife of the informant contested against him and lost. There is no reason or motive for the petitioner to get involved in the act of attack on the informant. There is no material in the entire FIR to substantiate the allegation against the petitioner. Learned counsel further submits that petitioner is having antecedent of four cases and he is on bail in all these cases. Learned counsel reiterates that the present case has been maliciously lodged and the petitioner has been falsely implicated merely on account of political rivalry.

6. Learned APP as well as learned counsel for the informant vehemently oppose the submissions made on behalf of the petitioner. Learned counsel for the informant submits that subsequently the statement of the informant was recorded and in his further statement the informant named this petitioner who came to the place where the informant has been lying after receiving fire-arm injuries and taking him to be dead returned.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



lack of material to show involvement of the petitioner in the alleged occurrence and also considering the rivalry of the parties and further considering possibility of false accusation, let the petitioner above-named, in the event of his arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Gopalganj, in connection with **Bhore P.S. Case No. 566 of 2025**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned trial Court.

(Arun Kumar Jha, J)

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