

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21051 of 2026

Arising Out of PS. Case No.-64 Year-2026 Thana- BIHAR District- Nalanda

1. Santu Kumar, S/o Late Alakh Niranjana Prasad Singh R/o Mohalla - Mohadinagar, Uchakapur, P.S.- Bihar, District - Nalanda.
2. Chunnu Singh Son of Late Akhleshwar Prasad Singh R/o Mohalla - Mohadinagar, Uchakapur, P.S.- Bihar, District - Nalanda.
3. Maharaja Vikramaditya Son of Jai Prakash Singh R/o Mohalla - Mohadinagar, Uchakapur, P.S.- Bihar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hansraj, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

For the Informant : Ms. Tannushri, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 14-07-2026 Heard learned Advocates appearing for the
respective parties.

2. The petitioners apprehend their arrest in connection with Bihar Sharif P.S. Case No.64 of 2026 registered for the offences punishable under Sections 316(2), 318(4), 109(1), 351(2), 3(5) of the BNS, 2023 and Section 27 of the Arms Act.

3. The allegation against the petitioners is of resorting to indiscriminate firing from their licensed rifle and pistol with the intention of killing the informant.

4. Learned Advocate for the petitioners submitted that from perusal of the First Information Report (FIR), it is evident



that the genesis of the occurrence relates to the execution of a sale deed. It is contended that if the informant had any genuine grievance regarding the settlement of the land dispute, the appropriate remedy was to approach before the Civil Court of competent jurisdiction. Instead, the informant chose to institute the present criminal case by lodging the FIR. So far the allegation of firing by petitioner nos. 1 and 2, Santu Kumar and Chunnu Kumar is concerned, it is submitted that admittedly no person sustained any injury. It is further contended that CCTV cameras had been installed at the informant's premises; however, no CCTV footage has been produced either before the Court or before the Investigating Agency to substantiate the allegations. Learned counsel further submitted that at the time of lodging the FIR, the informant also failed to produce the agreement for sale, which creates a serious doubt regarding the prosecution case.

5. On the other hand, learned Advocate appearing for the State as well as the informant vehemently opposed the prayer for bail and submitted that petitioner no. 1 has three criminal antecedents; petitioner no. 2 is accused in six other criminal cases, and petitioner no. 3 has one criminal antecedent. According to the prosecution, the petitioners are habitual



offenders, and the informant was merely fortunate to have escaped without injury. It is further argued that the petitioners' complicity in the alleged indiscriminate firing cannot be ruled out, particularly when the police found a bullet mark on the informant's house during the course of investigation.

6. At this juncture, learned Advocate for the petitioners clarified that the criminal antecedents are nothing but an offshoot of the long-standing animosity between the parties and that most of the cases have been instituted on the basis of complaint petitions. It is further undertaken on behalf of the petitioners that they shall fully cooperate in the proceedings of the Court and shall neither threaten nor intimidate the informant or his family members.

7. Having regard to the submissions advanced on behalf of the parties and considering the nature of the accusations, coupled with the fact that no person sustained any injury and no damage was caused to the informant's property, besides the genesis of the occurrence, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the



satisfaction of learned C.J.M., Nalanda at Bihar Sharif in connection with Bihar Sharif P.S. Case No.64 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further following conditions:

- (i) One of the bailors shall be the own/close family members of the petitioners.
- (ii) The petitioners shall not intimidate or threaten the informant or any prosecution witness, nor shall they indulge in any similar incident. In the event of any such violation, it shall be open to the informant as well as the State authorities to file an appropriate application seeking cancellation of the petitioners' bail.

(Harish Kumar, J)

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