

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27072 of 2026

Arising Out of PS. Case No.-265 Year-2024 Thana- DHARHARA District- Munger

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Bishal Kumar Singh @ Vishal Kumar Son of Nirbhay Singh Resident of
Village- Khushaapur (Mohanpur) PS- Dharhara Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Ojha, Adv

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-04-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Dharhara P.S. Case No. 265 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 109, 352 and 3(5) of the BNS and Section 27 of the Arms Act.

3. As per FIR, indiscriminate firing opened between the two groups, where petitioner was also the member of one of the firing parties.

4. It is submitted by learned counsel appearing on behalf of the petitioner that for the occurrence of firing, which took place between the two groups on the basis of reporting of local chowkidaar, the informant who is Sub-



Inspector of Police, Dharhara Police Station, lodged the present case. It is submitted that informant is not the eye-witness of the occurrence. It is also submitted that no private parties lodged case against this occurrence and none received injuries and, therefore, the lodging of case under Section 109(1) of the BNS, prima-facie appears not convincing. It is submitted that in the background indiscriminate firing between two parties only recovery of one cartridge of .315 bore and one pellet of same bore makes the allegation doubtful on its face. While concluding arguments, it is submitted that petitioner found involved in two more criminal cases, where he is on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as prima-facie informant is not the eye-witness of the occurrence, where no private complaint *qua* occurrence was reported, coupled with the fact as admittedly no injury was caused to anyone, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to



be released on bail, furnishing bail bond of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned ACJM-III,
Munger/concerned Court, where the case is pending in
connection with Dharhara P.S. Case No. 265 of 2024,
subject to the conditions as laid down under Section 438(2)
of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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