

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28937 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- CHAUSA District- Madhepura

Bulbul Yadav @ Girish Yadav S/o Late Krit Narayan Yadav @ Late Krit Narayan R/o Village- Bhitha Ward No. 13, P.S.- Chausa, District- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Bimal Kumar, Advocate
For the State	:	Mrs.Pushpa Sinha, APP
For the Informant	:	Mr.Dhiresh Kumar Dhiraj, Advocate
		Mr.Kuldeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 03-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The Investigating Officer of this case is present in-person and submitted the injury report of both the injured namely, Dayanand Yadav and Mithilesh Kumar (informant), which has been taken on record.

3. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Chausa P.S. Case No. 24 of 2025 registered for the offences punishable under Sections 109(1) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 27 of the Arms Act.

4. As per FIR, the petitioner alleged to open fire which hit to the arm of one injured namely, Dayanand Yadav and also



caused abrasion wound to the informant penetrating his jacket while they were returning to their home on 20.01.2025.

5. Learned counsel appearing on behalf of the petitioner submitted that allegation to open fire appears false for the reason that the injury report of both injured, as obtained from office of the Community Health Center, Chausa, Madhepura, nowhere suggests that it was caused by fire-arm.

6. It is pointed out that a deep round wound on left arm of Dayanand Yadav was found, which, upon medical examination, found simple, and, further abrasion wound of the informant was also found simple and same was not found to be caused by fire-arm. It is submitted that alleged injury was said to be caused by pointed and by hard and blunt substance.

7. It is further submitted that reason for false implication of the petitioner was local political issues related with panchayat election. It is submitted that informant is the Member of Panchayat Samiti.

8. While concluding argument, it is submitted that petitioner found involve in one more case of similar nature, in which he is on bail.

9. Learned A.P.P. for the State duly assisted by learned



counsel appearing for the informant could not disputed the aforesaid factual submission *qua* medical report.

10. In view of the aforesaid factual submissions and by taking note of the fact as the medical report, as discussed aforesaid, *prima facie* creates a doubt *qua* gunshot injury as alleged through FIR, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Udakishunganj, Maadhepura /concerned court in connection with Chausa P.S. Case No. 24 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

11. Presence of Investigating Officer stands dispensed with.

(Chandra Shekhar Jha, J)

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