

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30213 of 2026

Arising Out of PS. Case No.-348 Year-2024 Thana- BACHHWARA District- Begusarai

Muthhu Kumar @ Mitthu Kumar S/O Pankaj Choudhary R/O Village-
Godhna, Ward No.8, P.S- Bachhwara, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Advocate

For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bachhwara P.S. Case No. 348 of 2024 registered for the alleged offences under Sections 115(2), 127(1), 109, 3(5) of BNS and Section 27 of the Arms Act.

03. As per prosecution case, the co-accused persons assaulted the informant and when the informant opposed, the co-accused Aman Kumar hit on his head with the butt of pistol causing its fracture. Sometime thereafter, on the same day, the petitioner and other co-accused persons attacked the house of the informant and resorted to firing and one such shot hit to the minor nephew of the informant on his leg.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Only specific allegation is against the co-accused that he hit the informant on his head with the butt of his pistol but no injury report of the informant has been brought on record. From the allegation made in the FIR, it is apparent that there was no intention to cause death of any person. Even the nephew of the informant received simple injury and the allegation for causing injury is non-specific. The petitioner is having antecedent of two cases and in both the cases he is on bail. The petitioner is in custody since 30.01.2026 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague and non-specific nature of allegation against the petitioner, period of custody and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IX, Begusarai/concerned Court in



connection with Bachhwara P.S. Case No. 348 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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