

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31866 of 2026

Arising Out of PS. Case No.-7 Year-2026 Thana- GADHPURA District- Begusarai

Saurav Pathak @ Saurav Kumar Pathak S/o Trakant Pathak Resident of
Village- Malipar, P.S.- Garhpura, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 17-07-2026 Heard the learned counsel for the petitioner and
the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Garhpura P.S. Case No. 07 of 2026, for allegedly having committed offence under Sections 109(1) and 3(5) of the BNS and Section 27 of Arms Act.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that while he was doing business at his shop, the petitioner along with two others came on a motorcycle. It has been alleged that the petitioner fired at the informant from his pistol, however he managed to save himself and the bullet hit the counter and stopped at the table. It has been alleged that prior to the present occurrence, the petitioner used to have fight with the informant and also used to threaten



the informant.

4. The learned counsel for the petitioner submits that although the occurrence is said to have taken place on 11.01.2026 in the evening, however the first information report has been lodged on 14.01.2026 i.e. a delay of almost 3 days and no explanation whatsoever has been given in the first information report. He further submits that although the first information report has been lodged on 14.01.2026, but the seizure list has been prepared on 11.01.2026 at 06:30 P.M. itself, i.e. 3 days prior to the lodging of the first information report. He further submits that the first information report has been lodged due to prior enmity, since land dispute is there between the parties and the informant and the petitioner are the next door neighbours. He further submits that the petitioner has got a clean antecedent.

5. Per contra, the learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that direct allegation of firing is there against the petitioner herein.

6. Having heard the rival submissions and after going through the records, it appears that the first information report was lodged on 14.01.2026, however the seizure list was



prepared 3 days prior to the lodging of the first information report, i.e. 11.01.2026 itself. Further, no injury or anything has been caused to the informant and the informant and the petitioner are next door neighbours. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Begusarai in connection with Garhpura P.S. Case No. 07 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

AjayMishra/-

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