

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33032 of 2026

Arising Out of PS. Case No.-393 Year-2023 Thana- ATHMALGOLA District- Patna

Chintu Kumar @ Chintu Yadav S/o Late Akhilesh Kumar @ Akhilesh Yadav
Resident of village - Chakdaulat, P.S.- Bakhtiyarpur, Distt.- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Shashi Priya Pathak, Advocate Mr. Ambrish Kumar Jha, Advocate
For the Informant	:	Mr. Ranjan Kumar Dubey, Advocate
For the Opposite Party/s	:	Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-07-2026 Heard Ms. Shashi Priya Pathak, learned counsel for the petitioner, Mr. Ranjan Kumar Dubey, learned counsel for the Informant and Mr. Bharat Lal, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 19.05.2025, in connection with Athmalgola P.S. Case No. 393 of 2023, F.I.R. dated 03.12.2023 registered for the offences punishable under Sections 147, 148, 149, 341, 307, 326 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that on 02.12.2023 all F.I.R. named accused persons fired upon the informant and others due to which they sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely



implicated in the present case. It appears from the F.I.R. itself that due to admitted land dispute, the present occurrence had taken place. Although, there is specific allegation against the petitioner that he along with other co-accused persons have fired upon Bhagwat Singh and said Bhagwat Singh has received bullet injury. He further submits that the allegation against the petitioner that the petitioner has fired upon the back side of Bhagwat Singh, another accused has also fired upon Bhagwat Singh upon the neck and back side and other co-accused persons have fired upon his hand (injured person). He further submits that co-accused person, namely, Sumer Singh @ Somar Singh @ Surendra Singh has been granted regular bail by this Court vide order dated 25.03.2026 passed in Cr. Misc. No. 84096 of 2025. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 19.05.2025 more than a year.

5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the F.I.R. it appears that there is specific and direct allegation against the petitioner that he has fired upon the victim, namely, Bhagat Singh and the bullet



which was fired by the petitioner is still in the body of the injured person.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and similarly situated co-accused person has been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-V, Barh, Patna in connection with Athmalgola P.S. Case No. 393 of 2023, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below 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 below shall take step 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.

(Rajesh Kumar Verma, J)

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