

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40387 of 2026**

Arising Out of PS. Case No.-465 Year-2025 Thana- SIWAN MUFFASIL District- Siwan

Chandan Kumar @ Chandan Kumar Mali, aged about 27 years (Male) S/o Jai Prakash Mali @ Jai Prakash Mali Bhagat, R/o Village - Lakhraw Police Line, P.S - Siwan Muffasil, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Irshad Ahmad Khan, Advocate
For the Opposite Party/s	:	Mr. Lalan Kumar, APP
For the Informant	:	Ms. Kumari Anupam, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER**

3 27-07-2026 Heard learned counsel for the petitioner, learned counsel for the Informant, learned APP for the State and perused the case diary.

2. The petitioner is in custody in a case registered for the offence punishable under Sections 126(2), 118(1), 109 and 3(5) of the BNS and Section 27 of the Arms Act.

3. As per allegation in the FIR, it is a case of gun shot fired by other co-accused persons.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that due to previous enmity with the informant, he has been implicated in this case and further submits that the informant is not an eye witness of the alleged occurrence. He next submits that the petitioner along with other co-accused



persons fired upon the son of the informant and he received two bullet injuries but the FIR is not clear that who had injured. Petitioner is in custody since 02.01.2026.

5. Learned APP for the State and learned counsel for the Informant have opposed the prayer for bail of the petitioner and submits that the petitioner and other co-accused persons have gun shot the son of the informant.

6. On perusal of the first information report, case diary and impugned order dated 20.04.2026, it appears that there is allegation against the petitioner along with other co-accused persons that they chased the son of the informant and continuously kept firing upon him while chasing; in consequence of which the bullet hit the right side of his back and a bullet hit him above the elbow of his right hand. Son of the petitioner is currently receiving treatment at Siwan Sadar Hospital. Several witnesses have supported the case of the prosecution, so I am not inclined to grant anticipatory bail to the petitioner.

7. Prayer for bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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