

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37738 of 2026

Arising Out of PS. Case No.-227 Year-2025 Thana- BEERPUR District- Begusarai

Sujit kumar S/o Shomar Paswan @ Sumar Paswan Resident of Village - Pipra
Dodraj, Ward No.-09, P.S.- Teghra, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Archana Sinha, Sr. Advocate Mr. Ashok Kumar, Advocate Mr. Akshat Arghya, Advocate Ms. Swarna Roy, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Birpur P.S. Case No.227 of 2025 registered for the offence punishable under Sections 103(1), 308(5), 61(2) & 3(5) of the BNS and under Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that one Pankaj Kumar @ Pankaj Paswan has fired at Sahzade Raja (brother of the informant) pointed gun on his head. When brother of the informant objected, Pankaj Kumar fired near his left eye whereupon the brother of the informant fell down. After this, Kanhaiya Kumar fired at left side of the chest of Sahzade



Raja. It is further alleged that the petitioner was present there and he threatened the informant and his brother that if they try to save then he will shoot them and then the petitioner shot at Sahzade Raja which hit his left shoulder.

4. Learned counsel appearing on behalf of the petitioner has submitted that there is dispute between Pankaj Kumar and the informant. It has further been submitted that from perusal of the FIR it is clear that only allegation against the petitioner is that he has fired at the shoulder of the brother of the informant. It has further been submitted that as per the FIR the occurrence is of 11.12.2025 at 08:25 AM and from perusal of the post-mortem report it will transpire that the autopsy of the deceased commenced at 02:30 PM and completed at 03:20 PM whereas the FIR was lodged at 20:30 hrs. on same day. It has further been submitted that after seeing the post-mortem report, the allegations have been manipulated. The petitioner was having no dispute between the deceased or his brother. He was having no motive to commit offence. From perusal of the post-mortem report it will transpire that the deceased has received six firearm injuries out of which injury no.3 is near left shoulder. The Doctors conducting autopsy have opined that the cause of death in our opinion was due to traumatic brain injury and



haemorrhagic shock caused by fire-arm injury. It has further been submitted that the delay in filing of the FIR has given ample time to the prosecution to manipulate the story. It has been submitted that the petitioner is having no criminal antecedent and he is in judicial custody since 12.12.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned J.M.F.C., Begusarai in connection with Birpur P.S. Case No.227 of 2025.

(Ashok Kumar Pandey, J)

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