

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37573 of 2026

Arising Out of PS. Case No.-346 Year-2025 Thana- TEGHRHA District- Begusarai

Shivam Kumar @ Kari Kumar S/o Late Niraj Singh @ Late Niraj Kumar R/o
Village - Pidhauli, Amjadpur @ Wajitpur Pidhauli, P.S - Teghra, District -
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Shaendra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

3 31-07-2026 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Teghra P.S. Case No. 346 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 74, 3(5) of the BNS and Sections 25(1-B) (a), 26 and 27 of the Arms Act.

3. The allegation against the petitioner, *Shivan Kumar @ Kari Kumar*, is that on 31.10.2025, at about 6:00 P.M., he along with co-accused *Arvind Kumar* and others, allegedly came to the informant's house armed with pistols and indiscriminately opened fire. It is further alleged that they assaulted members of the *Sahani* community, misbehaved



with the women present there and thereafter fled away from the place of occurrence. Subsequently, the police recovered live cartridges from the *Samudayik Bhawan*, which were seized during the course of investigation. It is also alleged that 3-4 persons belonging to the *Sahani* community sustained injuries in the occurrence. The petitioner has been specifically named as one of the persons who was allegedly carrying a pistol during the incident.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. He has further submitted that there is no specific allegation against the petitioner and that no firearm injury has been caused to the informant or to any other person. He has also submitted that the injuries sustained by the informant and *Devendra Sahani* have been found to be simple in nature. He has next submitted that the allegation of firing has been specifically attributed to co-accused *Suman Kumar*. No independent witness has supported the allegation. He has further submitted that the petitioner is involved in six cases, as mentioned in paragraph no. 3 of the bail petition, in all of which, he has been granted bail. The petitioner has been in judicial custody since 04.12.2025. He undertakes to



cooperate with the investigation and the trial and further undertakes not to commit any offence of a similar nature.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and fairly submitted that the injuries sustained by *Devendra Sahani and Manisha Sahani* have been found to be simple in nature.

6. Taking into account the entire facts and circumstances of the case, coupled with the period of custody and the fact that there is no specific allegation of assault against the petitioner, while the allegation of firing has been attributed to other persons and that the injuries sustained by the persons were caused by a hard and blunt substance and have been found to be simple in nature, the the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned CJM/concerned Court, Begusarai in connection with Excise P.S. Case No. 302 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.



(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the case as mentioned in para-3 of the bail petition, his bail bond will not be accepted.

(v) It is also made clear that there shall not be any delay in verifying the criminal antecedent of the petitioner.

(vi) If he repeats any offence of similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

7. The Superintendent of Police, Begusarai is directed to keep vigil upon the petitioner and if the petitioner is found involved in any criminal act or commits any offence, the Superintendent of Police, Begusarai will intimate the concerned Court so that steps against the petitioner be taken in accordance with law.

8. Let a copy of this order be communicated to



the Superintendent of Police, Begusarai for needful through
email/Fax.

(Raj Kumar, J)

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