

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43956 of 2026

Arising Out of PS. Case No.-57 Year-2026 Thana- ATHMALGOLA District- Patna

1. Kamlesh Yadav @ Kamlesh Kumar S/O Satyendra Yadav @ Satendra Singh
Resident Of Village-Laxmanpur, PS- Baktiyarpur, Dist Patna
2. Ramesh Yadav @ Ramesh Kumar S/o Satyendra Yadav @ Satendra Singh
Resident Of Village-Laxmanpur, PS- Baktiyarpur, Dist Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-07-2026 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Athmalgola P.S. Case No.57 of 2026 registered for the offences punishable under Sections 191(2), (3), 190, 109(1) of the BNS, 2023 and Section 27 of the Arms Act.

3. Allegedly, on the given date and time of occurrence, while the informant was proceeding to attend the call of nature, he came across a clash between two groups. During the course of the incident, two unidentified persons allegedly resorted to indiscriminate firing, causing a bullet injury to the informant's cheek, as a result of which he fell



unconscious. He was subsequently shifted to the hospital for treatment.

4. Learned Advocate for the petitioners contended that that even from the *fardbeyan* of the informant, it is evident that the petitioners were not the persons who had opened fire, rather it is alleged that two unidentified persons, who were engaged in a clash with each other, resorted to firing, as a result of which the informant sustained a bullet injury on his cheek. However, the same has been opined to be grievous in nature. Even as per the allegation, there was no animosity between the petitioners and the informant rather the clash was between two groups and moreover no motive has been assigned that the petitioners were anyhow instrumental in causing any injury through any unidentified person to the petitioner. The petitioners bear fair antecedent and undertake that they will fully cooperate in the proceedings of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the prayer for bail and submitted that there are specific allegations against the petitioners that they were actively involved in the clash and that, during the course of the said occurrence, some of the accused persons resorted to firing, one of which struck the informant on a vital part of his body,



that has been opined to be grievous in nature.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the specific accusation levelled against unidentified persons of causing firearm injury to the informant, besides the FIR clearly discloses that the clash was between two other groups and the fair antecedent of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Barh at Patna in connection with Athmalgola P.S. Case No.57 of 2026, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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