

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40896 of 2026**

Arising Out of PS. Case No.-181 Year-2026 Thana- BIHAR District- Nalanda

Makhan @ Abhay Kumar S/O Mahendra Gop R/O Village- Patuaana, P.S-  
Bihar Sarif, District- Nalanda, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                           |
|--------------------------|---|---------------------------|
| For the Petitioner/s     | : | Mr. Apurv Harsh, Adv      |
|                          | : | Mr. Manu Tripurari, Adv   |
|                          | : | Mr. Raghu Raj Pratap, Adv |
|                          | : | Ms. Jaya Singh, Adv       |
|                          | : | Ms. Tanu Priya, Adv       |
| For the Opposite Party/s | : | Mr. Tapeswar Sharma, APP  |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      24-06-2026      Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Bihar Sarif P.S. Case No. 181/2026 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 352 and 3(5) of the BNS and Section 27 of the Arms Act.

3. As per FIR, petitioner and other named co-accused persons alleged to assault informant by using butt of the pistol and also alleged to resort indiscriminate firing in air.

4. It is submitted by learned counsel appearing on behalf of the petitioner that in view of allegation as set out through FIR, it can be safely said that petitioner was not under intention to cause death of informant/injured as having all



occasion to kill informant because petitioner was equipped with deadly firearms, he choosed to assault by using butt of the pistol, which clearly negate his intention to kill. It is further submitted that nature of injury upon medical examination found simple, which further negates intention to cause death. Petitioner found involved in two more cases, where he is on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as allegation of firing targeting informant/injured is not available, rather having all occasion to cause firearm injury was made by butt of the pistol, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nalanda, Bihar Sharif/concerned Court, where the case is pending in connection with Bihar Sarif P.S. Case No. 181/2026, subject to the conditions as laid down under Section 482(2) of BNSS.

**(Chandra Shekhar Jha, J)**

S.Tripathi/-

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