

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47612 of 2026

Arising Out of PS. Case No.-125 Year-2026 Thana- DEWARIA District- Muzaffarpur

1. Kundan Kumar @ Kundan Sahni Son of Devnath Sahni Resident of Village-Singahi, P.S.- Paroo, Distt.- Muzaffarpur
2. Sundan Kumar @ Sundan Sahni Son of Devnath Sahni Resident of Village-Singahi, P.S.- Paroo, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Kumar, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-07-2026 Heard Mr. Vibhuti Kumar, learned counsel appearing on behalf of the petitioners, Mr. Raj Ballabh Singh, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Deoriya P.S. Case No. 125 of 2026 registered under Sections 329(3), 126(2), 115(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the allegation made in the F.I.R., during a marriage ceremony, one of the accused persons allegedly came to the place of occurrence while brandishing a pistol, threatened the informant with dire consequences and fired from the



weapon. Subsequently the petitioners assaulted the nephew of the informant when he was going to bring bamboo for the marriage ceremony.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have been falsely implicated on account of family dispute, village politics and previous enmity. He submitted that the petitioners are merely cousins of the informant and have been implicated due to the family dispute. Nothing has been recovered from their conscious possession. The petitioners have clean antecedent and the allegations against them are general and omnibus in nature. On these grounds, the petitioners seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties and upon perusal of the materials available on record, it appears that the specific allegation of brandishing a pistol and firing is primarily against the co-accused. The petitioners appear to have been implicated mainly on account of their relationship with the main accused. It appears from the impugned order that no material has been collected during the



course of investigation to substantiate the complicity of the petitioners in the alleged firing. The petitioners have clean antecedent and the allegations against them are general and omnibus in nature. In such circumstances, I am of the opinion that the petitioners have, *prima facie*, made out a case to be released on anticipatory bail.

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned A.C.J.M.-V (West), Muzaffarpur, in connection with Deoriya P.S. Case No. 125 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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