

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52456 of 2025

Arising Out of PS. Case No.-331 Year-2024 Thana- BALIYA District- Begusarai

Hiramani Kumar S/o Ram Kumar Singh R/o Vill- Sadanandpur, P.S.- Ballia,
Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Ballia P.S. Case No. 331 of 2024, instituted for the offences punishable under Sections 109(1), 118(2), 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per the prosecution case, allegation against the petitioner is that he along with other named accused persons entered into a cross firing between the two groups and the petitioner was also involved in firing upon the brother of the informant.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and from the perusal of the FIR, it would be evident that there is no eye



witness to the occurrence. It is further submitted that there is no specific allegation against the petitioner to have fired upon the brother of the informant namely Devdutt Kumar. It is also submitted that the injured Devdutt Kumar was examined by the I.O. during the course of investigation and the said injured has also not named the petitioner or anybody to have fired upon him. It has lastly been submitted that similarly situated co-accused namely Vijay Krishna @ Karul Kumar @ Karul has been granted bail by a co-ordinate Bench of this Court, the order of which has been brought on record by way of Annexure-P/2 to this petition. It is submitted that the petitioner though carries four criminal antecedents, he is on bail in all such cases.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail and has submitted that the petitioner was involved in firing in which the brother of the informant got injured.

6. Considering the aforesaid submissions and the fact that the similarly situated co-accused has already been granted bail, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs.



10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No. 331 of 2024, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner;

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedents of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) in view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of



Police, Begusarai within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

krishna/-

U		T	
---	--	---	--

