

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52084 of 2025

Arising Out of PS. Case No.-291 Year-2023 Thana- BELDOUR District- Khagaria

Kanhaiya Kumar S/O Vipin Kumar Singh Resident of Village- Teghahchi,
P.S- Chautham, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 08-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 394, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution story, the informant alleged that his sister's brother-in-law has been shot at and admitted to the Primary Health Center. He reached the place and came to know that, in course of snatching the vehicle, the unknown accused persons opened fire.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that the name of this



petitioner has been surfaced for the first time in restatement of the informant wherein he has stated that this petitioner has fired thrice and the gun shot injury hit in the stomach. Learned counsel for the petitioner has further submitted that the injured of this case has also given his statement during investigation and he has also stated that this petitioner has fired him thrice. Learned counsel for the petitioner has also submitted that in this case admittedly, as per FIR, the firing was made by unknown miscreants. During course of investigation, no TIP has been conducted and it is very surprising that how the informant and injured both have identified the petitioner. Co-accused Nitish Kumar has confessed in this case and save and except, the confessional statement of co-accused Nitish Kumar, there is nothing against this petitioner. Nitish Kumar has already been granted bail by learned co-ordinate Bench of this Court vide order dated 26.09.2025 passed in Cr. Misc. No. 49887 of 2025. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 11.11.2024.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Beldaur P.S. Case No. 291 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Khagaria.

(Ashok Kumar Pandey, J)

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