

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.57207 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- VAISHALI District- Vaishali

1. MANOJ KUMAR SINGH @ MANOJ SINGH Son of Chandeshwar Singh Resident of Village- Abul Hasanpur (Paumi Hasanpur) Police Station- Vaishali, District- Vaishali
2. PRAMOD KUMAR SINGH @ PRAMOD KUMAR Son of Chandeshwar Singh Resident of Village- Abul Hasanpur (Paumi Hasanpur) Police Station- Vaishali, District- Vaishali
3. KUMOD KUMAR SINGH @ KUMOD KUMAR Son of Chandeshwar Singh Resident of Village- Abul Hasanpur (Paumi Hasanpur) Police Station- Vaishali, District- Vaishali

... .. Petitioner/s

with

CRIMINAL MISCELLANEOUS No. 63162 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- VAISHALI District- Vaishali

Vishwa Vijay Kumar @ Vishwa Jeet Thakur @ Bullet S/o Chandeshwar Thakur R/o vill - Jagdishpur Rami, P.O. - Chakahaji, P.S- Kapurigram, Distt.- Samastipur, Bihar Petitioner

with

CRIMINAL MISCELLANEOUS No. 66153 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- VAISHALI District- Vaishali

Kunal Gautam @ Golu @ Gautam Kunal S/O Vinay Kumar Singh @ Vinay Kumar R/O Village- Dharampur, P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

with

CRIMINAL MISCELLANEOUS No. 69861 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- VAISHALI District- Vaishali

Digvijay Thakur @ Digvijay Kumar Thakur @ Mantu Thakur S/O Shri Chandeshwar Thakur Resident of Vill.-Jagdishpur, P.S.- Karpuri Gram, Dist.- Samastipur Petitioner

Versus

The State of Bihar

... .. Opposite Party in all four cases

Appearance :

(In CRIMINAL MISCELLANEOUS No. 57207 of 2025)

For the Petitioner/s : Mr NK Agrawal, Senior Advocate
Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 63162 of 2025)

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

For the Opposite Party/s : Mr.Brajendra Nath Pandey, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 66153 of 2025)

For the Petitioner/s : Mr PN Shahi, Senior Advocate
Mr.Madhukar Anand, Advocate

For the Opposite Party/s : Mr.Akbar Ali, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 69861 of 2025)

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

For the Opposite Party/s : Mr.Prem Kumar Jha, A.P.P.



CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 17-02-2026

Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 103/238 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and sections 25(9)/27 of the Arms Act.

3. As per prosecution case, on 04.02.2025 at around 5.15 pm when the informant Praveen Kumar. S.1.-Cum-SHO of Vaishali P.S along with other police personnel was on patrolling duty, he got a secret information about firing on 03.02.2025 in the house of Manoj Kumar Singh during the celebration of Tilak (Faldan) of his son. At that time, an orchestra was going on and at the same time an unknown person waved a weapon and started open firing in which Bhanja of Sarpanch Tarakant Singh, namely, Krishna @ Sagun received bullet injury on the head and fell down on the stage. He died on way to hospital. To verify this fact, when the informant reached the door of Manoj Kumar Singh and started investigation, then came to his knowledge about the fact of this incident leading to lodging of the instant FIR against unknown persons.

4. Learned counsel appearing for the petitioners, in Cr.Mis.No. 57205 of 2025, submits that these petitioners, who are brothers, are innocent and have falsely been implicated in this case only on the ground that the incident of celebratory fire took place at their house. During investigation, no evidence has come to suggest petitioners' direct or indirect involvement in the firing. Petitioners claim clean antecedent.

5. With respect to petitioner of Cr.Mis.No. 63162 of 2025, learned counsel for the petitioner submits that the only



material against this petitioner is that the petitioner is owner of arms used in celebratory firing on the occasion of Tilak. However, it is not the case of the prosecution that petitioner fired shots from the fire arms. Petitioner has got clean antecedent.

6. With respect to petitioner of Cr.Mis.No. 66153 of 2025, learned counsel for the petitioner submits that this petitioner was not present at the orchestra at the relevant time. As a matter of fact, deceased died, due to cardiac arrest as he fell down from the stage and died later on.

7. Learned counsel for petitioner of Cr.Mis.No. 69861 of 2025 submits that only material that has come during investigation that he was also present on the spot. That apart, no evidence has come to suggest his direct or indirect involvement in the alleged occurrence. Petitioner claim clean antecedent.

8. Learned counsel for the State and the informant oppose the prayer for bail of all the petitioners. Learned counsel for the informant submits that during investigation witnesses have stated that petitioner of Cr.Mis.No. 66153 of 2025 (Kunal Gautam @ Golu @ Gautam Kunal) fired shots in the orchestra which hit Bhanja of Sarpanch on the head causing his death on way to hospital.

9. Since there is allegation of firing against petitioner Kunal Gautam @ Golu @ Gautam Kunal leading to death of victim, his prayer for bail is rejected.

10. There is no allegation of firing shots against rest petitioners. As such, these petitioners, named above, (except petitioner Kunal Gautam @ Golu @ Gautam Kunal) in the event of arrest or surrender within eight weeks from today, are



directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- each (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Vaishali at Hajipur in Cr.Mis.No. 63162/25 & 57207/25, Chief Judicial Magistrate, Vaishali at Hajipur in Cr.Mis.No. 69861/25 in Vaishali Police Station Case No. 40 of 2025, subject to the condition laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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