

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68813 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- BARGAINIA District- Sitamarhi

=====

Satyam Kumar, S/o Devanand Sah @ Devanand Prasad Gupta, Resident of
Village- Bargania, Ward No. 11, Mai Asthan, P.S.- Bairgania, District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

=====

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

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

2. The petitioner is apprehending his arrest in
connection with Bairgania P.S. Case No. 76 of 2025 registered
for the offence(s) under Section(s) 126(2), 118, 109, 352, 351(2)
and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.) and
Section 27 of the Arms Act.

3. As per the prosecution case, the informant has
alleged that the petitioner along with one Suman Kumar abused



him and thereafter took out a pistol and fired upon him, which hit him on his thigh. It is further alleged that the accused/Suman Kumar with pistol in his hand threatened the informant to kill the entire family.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and on perusal of the F.I.R., it would be evident that there is no specific allegation of firing upon the petitioner. It has been submitted that from the averment made in the F.I.R., it would be evident that it was the accused/Suman Kumar who had the pistol in his hand while he was fleeing and nothing has been stated as far as the petitioner is concerned. It is also submitted that there is only one firearm injury on the left thigh, which goes to suggest that it was only the accused/Suman Kumar who had fired and not the petitioner. It has lastly been submitted that the petitioner carries two criminal antecedents against his name and both are under the Excise Act.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let



the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Bairgania P.S. Case No. 76 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.



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

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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

