

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73461 of 2025

Arising Out of PS. Case No.-333 Year-2025 Thana- MAHUA District- Vaishali

1. Sunil Singh @ Sunil Kumar S/O Gaya Singh R/O village- Bishunpur, Taraura, P.S.- Mahua, District- Vaishali
2. Pankaj Kumar @ Gautam Kumar S/O Sunil Singh R/O village- Bishunpur, Taraura, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Natraj Verma, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 11-02-2026 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Mahua P.S. Case No.333 of 2025 registered for the offences punishable under Sections 109, 126(2), 352, 351, 3(5) of the BNS, 2023 and Section 27 of the Arms Act.

3. In the fateful night of 10/11.03.2025, while the informant was sleeping in his house along with his family members, he heard some sound of firing and later on he recognized the petitioners and one Niraj Kumar from their voices. When the informant informed the incident to the police



parties, the petitioners along with others succeeded in fleeing away.

4. Learned Advocate for the petitioners submitted that the parties are bickering over the land dispute for the last several years and, in fact, the petitioners grandfather who was fighting the litigation won up to this Court. Only in order to wreak vengeance and put pressure, the informant's side is filing repeated criminal cases against the petitioners and their family members. Even if the allegation is taken to be true, the informant is not an eyewitness to the alleged firing and the recognition of the petitioners, based upon their voices, *prima facie* does not inspire confidence. The petitioner no.1 though bears three criminal antecedents whereas petitioner no.2 bears one, but all of them are the outcome of enmity between the parties lodged by the informant and his family members.

5. On the other hand, the learned Advocate for the State vehemently opposed the bail application and submitted that the bullet marks over the door of the informant clearly suggest that firing took place and the petitioners were recognized by their voices.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note



of the nature of allegation, coupled with the previous enmity, besides none has sustained any injury, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, Vaishali, Hajipur in connection with Mahua P.S. Case No.333 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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