

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72006 of 2025

Arising Out of PS. Case No.-312 Year-2025 Thana- DARAUNDA District- Siwan

Shahnawaz Khan @ Mister Khan S/o Late Hasmuddin Khan R/o Village-
Muslim Tola Rajanpura, P.S.- Daraundha, Distt.- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Ms. Kumari Anupam, Advocate
For the Informant	:	Mr. Arbind Kumar Singh, Advocate
For the State	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 05-01-2026 Heard learned counsel for the petitioner, learned counsel
for the Informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 126(2), 115(2), 109(1), 352, 351 & 3(5) of the BNS and under Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that on 18.06.2025 at about 07:00 P.M., informant's son Noor Mohammad went to general store of Khalid for buying some articles. The informant also went there for buying articles. At the same time, the petitioner along with others attempted to kidnap the informant's son. It is alleged that the petitioner was having firearm in his hand. It is alleged that he has fired at the son of the informant.

4. Learned counsel for the petitioner submits that from



perusal of the FIR it is clear that the occurrence is of 18.06.2025 whereas the FIR has been lodged on 20.06.2025. It has also been submitted that regarding this occurrence one case was also filed regarding seizure of the arms and from the examination of these arms it has been found that no firing has been made from these arms whereas local persons have disclosed that this arms belong to the petitioner. Learned counsel for the petitioner has submitted that from perusal of the order of the learned trial court it is clear that the son of the informant has suffered following injuries :-

- (i) Firearm injury, two entry wound present on left side of abdomen of size (a) $\frac{1}{2}$ " X $\frac{1}{2}$ " X deep to peritoneum, (b) $\frac{1}{2}$ " X $\frac{1}{2}$ " X deep to peritoneum
- (ii) Entry and exit wound on left arm size (a) entry wound $\frac{1}{3}$ " X $\frac{1}{3}$ " X deep to muscle, (b) exit wound $\frac{1}{3}$ " X $\frac{1}{3}$ ".
- (iii) Lacerated wound on back of the head of size $\frac{1}{2}$ " X $\frac{1}{4}$ " X deep to scalp.

5. Learned counsel for the petitioner has submitted that the occurrence was committed for not voting to one Murshid Khan and during course of investigation police has found no materials against Murshid Khan. Learned counsel for the petitioner has submitted that the petitioner is languishing in judicial custody since 02.07.2025.

6. Learned counsel for the State is present and he has vehemently opposed the bail application of the petitioner and has



submitted that the petitioner is having criminal antecedent of three cases and there is specific allegation against the petitioner.

7. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail with the condition that one of the bailors shall be near relative and petitioner shall co-operate in the trial and shall be present in the trial court whenever required. The above named petitioner is directed to be released on bail in connection with Daraunda (M.H. Nagar) P.S. Case No. 312 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM- VI, Siwan.

(Ashok Kumar Pandey, J)

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