

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79931 of 2023

Arising Out of PS. Case No.-1371 Year-2022 Thana- BIHTA District- Patna

Vimal Kumar @ Bhutu Singh S/o Late Tapeswar Singh Resident of
Kharagpur Kanchanpur, PS. Bihta, Dist. Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Ms. Eashita Raj, Advocate Ms. Priyanka Singh, Advocate
For the State	:	Mr. Nirmal Kumar Sinha, APP
For the Informant	:	Mr. Shivendra Prasad, Advocate Ms. Chandni Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 25-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Bihta P.S. Case No. 1371 of 2022 registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act. The petitioner has got four criminal antecedent as per statement in paragraph '3' of the application, however, it is submitted that in all the four cases, the petitioner is on bail.

3. As per the prosecution story on 20.12.2022, while the informant was sitting at his *dalan*, all of a sudden this petitioner along with other accused persons variously armed



came and fired twice by double barrel gun. The informant somehow managed to escape and hid himself in the house. The police was informed and upon arrival of the police, the culprits fled away.

4. It is evident from the FIR that the allegations against the petitioner is of firing from a double barrel gun. This Court had called for the injury report. It has been informed vide Memo No. 520 of 2024 dated 21.08.2024 by the Officer-in-Charge of Amhara Police Station that the informant Pashupatinath Sharma has given written information to the police station that he had not been treated in any hospital.

5. Learned A.P.P. for the State and learned counsel for the informant have though opposed the prayer for anticipatory bail of the petitioner but finding that the allegation of firing by a double barrel gun is not getting substantiated with any injury of the informant, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Danapur (Patna) in connection with Bihta P.S. Case No. 1371 of 2022 subject to the conditions as laid



down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. The petitioner shall appear before the Investigating Officer in the police station within three weeks from today and shall cooperate with the investigation.

7. And further condition that the learned trial court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the learned trial court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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