

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78042 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Niraj Kumar Son of Anil Singh R/o Village- Bhathan, P.S.- Shyampur Bhatha,
District- Sheohar Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

: Ms. Divya Bharti, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2026 Heard Mr. Pushpendra Kumar Singh, learned

counsel for the petitioner as well as Mr. Madhura Nand Jha,

learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
09.06.2025 in connection with Shyampur Bhathan P.S. Case No.
67 of 2025, F.I.R. dated 13.05.2025 for the offences punishable
under Sections 109 of the Bharatiya Nyay Sanhita, 2023 and
Section 27 of Arms Act.

3. According to prosecution case, it is alleged that the
petitioner along with other co-accused person fired upon the
informant due to which he sustained injury and later taken to
Community Health Center, Madhubani for treatment.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. Due to some previous dispute the petitioner has



falsely been implicated in the present case. Although there is specific allegation against the petitioner that he fired upon the informant but the injury report of the injured person does not support the allegation in the FIR. The injury report of the informant is produced hereinbelow:-

1. Lacerated wound one at anterior left leg(1.25x1)cm.

2. Lacerated wound anterolateral left leg(2x1)cm.

3. Pain and swelling left leg.

Caused by:- (1)(2)(3)-May be caused by firearm injury

Nature of Injury:- (1)(2)(3) Simple

5. Learned counsel for the petitioner further submits that the police after investigation submitted the charge sheet and the petitioner is in custody since 09.06.2025.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent other than the present one.

7. Considering the aforesaid facts and circumstances, medical evidence does not support the case of the prosecution, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Chief Judicial Magistrate-III, Sheohar in connection with Shyampur Bhathan P.S. Case No. 67 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below 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 court below 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.

(Rajesh Kumar Verma, J)

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