

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79465 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- Fekla District- Darbhanga

Shivshakti Kumar @ Shivshakti Thakur S/O Shri Varun Thakur Resident of
village - Bhorha Pokhar Bhinda, P.S.- Fekla, District - Darbhanga, PIN
-847429.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navendu Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 24-02-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Fekla P.S. Case No. 66 of 2025 registered for the offences punishable under Sections 126(2), 109, 352, 351(2) and 3(5) of the BNS and Section 27 of the Arms Act.

3. As per FIR, petitioner who claims himself a local reporter was abused and also firing was alleged to be made upon him by this petitioner for the reason as he on previous occasion out of his reporting help administration to seize illegal liquor, which was alleged in possession of the petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that informant and petitioner is of same village and out of local disputes and differences, petitioner was



implicated with the present case. It is submitted that petitioner was not found involved in any excise case, except the case, where petitioner was implicated falsely as per reporting of the informant. It is also pointed out that informant himself is a man of criminal antecedent, as he is accused of Beta P.S. Case No. 50 of 2024. It is submitted that informant and his brother becomes witness in connivance with the local police and work as a stock witness and also as a spy for police under the garb of journalism. It is further submitted by learned counsel that petitioner alleged to fire after moving ahead 100 meters, which negates his intention to cause death of informant, as if petitioner had intention he must fire upon informant when he was close to him, therefore, firing from distance of 100 metres by having intention to cause death is not convincing, as distance was beyond fatal range. It is not a case of bullet injury. While concluding argument it is submitted that petitioner found involved in five more criminal cases where is in on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as allegation prima-facie appears to be raised in the background of local disputes and differences coupled with the fact as prima-facie firing was not made having all opportunity



when informant was close to petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Darbhanga/concerned Court, where the case is pending in connection with Fekla P.S. Case No. 66 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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