

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77854 of 2025

Arising Out of PS. Case No.-166 Year-2025 Thana- BHAGWANPUR District- Begusarai

Hariom Kumar Son of Late Bachandeo Ray @ Bachandeo Ray @ Late
Bachan Dev Singh @ Bachan Dev Singh R/o Village - Gaura, Ward No. 09,
Gaura, P.S. - Teghra, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal, APP
For the Informant	:	Mr. Ram Shankar Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2026 Heard Mr. Sandip Kumar Gautam, learned counsel
for the petitioner, Mr. Ram Shankar Kumar, learned counsel for
the Informant as well as Mr. Tarun Prasad Mandal, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
18.07.2025 in connection with Bhagwanpur P.S. Case No. 166
of 2025, F.I.R. dated 26.05.2025 for the offences punishable
under Sections 126(2), 115(2), 352, 351(3), 109(1), 3(5) of the
Bharatiya Nyay Sanhita, 2023 and Section 27 of Arms Act.

3. According to prosecution case, the informant
alleged that on 25.05.2025, then FIR named accused persons



called his brother from house to participate in feast. At about 9:30 PM, the informant got information on mobile phone that the petitioner has fired upon his brother and he somehow managed to escape. On this, when the informant along with police reached, they saw his brother had sustained fire arm injury and then he was admitted to private hospital for treatment.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. It appears from the FIR that informant is not the eye witness of the alleged occurrence and on the basis of information furnished by the victim the present FIR is instituted and from bare perusal of the statement of the victim which is recorded in paragraph-16 of the case diary it appears that the victim stated that petitioner hit him in left part of stomach but the injury report of the informant does not support the allegation in the FIR. He further submits that the police after investigation submitted the charge sheet and the petitioner is in custody since 18.07.2025.

5. The learned Additional Public Prosecutor and learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner and submits that there is direct



and specific allegation of firing attributed against the petitioner and the victim has received fire arm injury and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, 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 Judicial Magistrate, Begusarai in connection with Bhagwanpur P.S. Case No. 166 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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