

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80662 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- NARAINPUR District- Bhojpur

Sahendra Pandey S/O Late Ram Awadesh Pandey R/O Vill.- Chasi, P.S-
Narayanpur, Dist.- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinod Kumar Pandey S/O Late Ram Pujan Pandey R/O Vill.- Chasi, P.S-
Narayanpur, Dist.- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Akanksha Malviya, Advocate
For the Informant	:	Mr. Amarendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 16-01-2026 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

2. The petitioner has prayed for bail in connection
with Narayanpur P.S. Case No. 62 of 2025 registered for the
offence punishable under Sections 126(2), 115(2), 118(1), 109,
352, 351(2), 3(5) of the B.N.S., 2023 and Section 27 of the
Arms Act.

3. The case of the prosecution is that co-accused
persons have assaulted the informant with gunshot and this
petitioner has assaulted with sharp edge *kaata* (angular blade
tool) and knife on the head of the victim indiscriminately. After
that the informant raised an alarm, and villagers arrived and



rescued the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that from perusal of the FIR, it is clear that the occurrence took place on 15.06.2025 at 07:00 PM. It has also been submitted that from perusal of the injury report, it transpires that the date and time of examination are the same. It has been argued that it is not possible for the victim to be examined by the doctor at the very time of the occurrence itself. It is further submitted that the FIR was filed on 15.06.2025 at 08:40 AM and the same was brought before the Judicial Magistrate on 20.06.2025. The delay in forwarding the FIR has not been explained. He also submits that all these goes to show that the FIR is ante-dated, and from perusal of the injury report, it is also clear that the first injury is a single penetrative wound of size 1.5 cm x 1.5 cm with charring around the edges over the interior chest wall, penetrating a gunshot wound, most likely an entry wound. Learned counsel for the petitioner also submits that in gunshot injuries, penetrative wounds are not possible. The informant has received three more injuries, and it is alleged that these injuries were caused by sharp-edged weapons, but the



doctor has found that the injuries were caused by hard and blunt object. There is no repetition of the gunshot blow, and the description of the gunshot injury, which starts with the word 'single penetrative wound,' itself creates doubt. Learned counsel for the petitioner has further submitted that the petitioner is languishing in judicial custody since 20.06.2025. Learned counsel for the petitioner has lastly submitted that similarly situated co-accused Sudhir Pandey @ Pintu Pandey has been granted bail by this Court vide Cr. Misc. No. 69621 of 2025. The case of this petitioner stands on better footing.

5. From perusal of the order of the learned trial court it is clear that the trial court has recorded that on the person of the informant, injury of knife found which has been described that the Doctor has opined "on scalp skin deep injury of the size of 7cm x 2cm was found". Learned counsel for the petitioner has submitted that the allegation against the petitioner is that he has assaulted with sharp cutting weapon, whereas firearm injury has also been found on the person of the informant which is not attributed to this petitioner. Injury, if any, caused by this petitioner is superficial as the same is skin deep.

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



and has submitted that the petitioner is the main assailant.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned court of Sessions Judge, Bhojpur at Ara in connection with Narayanpur P.S. Case No. 62 of 2025.

(Ashok Kumar Pandey, J)

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