

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87597 of 2025

Arising Out of PS. Case No.-87 Year-2025 Thana- Ghogha District- Bhagalpur

Rahul Kumar Son of Jullo Mandal @ Julo Mandal Resident of Village-
Kodwar, P.S.- Ghogha, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 10-02-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Section 110 of the Bharatiya
Nyaya Sanhita, 2023 and Section 25 (1-b)a, 26, 35 and 27 of the
Arms Act.

3. As per the prosecution case, the allegation
against the petitioner is of resorting to firing.

4. It is submitted by learned counsel for the
petitioner that the present case has been lodged by the S.I. of
Police and not the injured person, who is said to have received
firearm injury on her leg. It is further submitted that during the
course of investigation, the fardbeyan of the injured Mamta
Devi was recorded and even on recording of the same, it appears



that on account of some dispute, the petitioner has shot two blank firing but accidentally the same hit on her right leg. The injury report indicates the nature of the injury as simple. It is further submitted that on the face of the allegations, no intention to cause any injury can be inferred and moreover the mandatory provisions of search and seizure has also been flouted as there is no independent witness to the same. The petitioner has no criminal antecedent and has been languishing in custody since 04.07.2025.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case and also considering the fardbeyan of the injured herself who also supports the accidental firing coupled with the fact that the petitioner has clean antecedent and languishing in custody since 04.07.2025, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ghogha P.S. Case No.87 of 2025, subject to the conditions that :

(i) One of the bailors would be family members/close relative of



the petitioner.

(ii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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