

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89300 of 2025

Arising Out of PS. Case No.-743 Year-2024 Thana- ARA NAWADA District- Bhojpur

Mithu Kahar @ Mithu Prasad, S/o- Late Tapeswar Kahar, R/v- New Shital
Tola, Ps- Ara Nawada Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Ara Nawada P.S. Case No. 743 of 2024 registered for the offence punishable under Sections 109(1), 352 and 3(5) of B.N.S. and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the petitioner has fired at Karan Thakur and the gun shot injury hit in his chest in right side.

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. There is no repetition of the firing and from perusal of the injury report it will transpire that doctor conducting the medical



examination of the victim has found only one injury i.e. one penetrating wound on body site right side chest size 1/2” x 1/2” colour blackish around the wound firearm injury and the doctor has further opined that the nature of injury is grievous. It has also been submitted that petitioner is in judicial custody since 12.11.2024 and trial has still not started. It has also been submitted that the occurrence has taken place on trivial issue and only one gunshot has hit the victim.

5. Learned APP appearing for the State has vehemently opposed the application for bail.

6. 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 the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 743 of 2024.

(Ashok Kumar Pandey, J)

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