

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90837 of 2025

Arising Out of PS. Case No.-200 Year-2025 Thana- PALIGANJ District- Patna

Vimal Singh Son of Mr Sheo Parsan Singh Resident of Village- Ranipur, P.S.-
Paliganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate Mr. Sadanand Roy, Advocate
For the State	:	Mr. Anant Kumar 1, APP
For the Informant	:	Dr. Anand Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 24-06-2026 Heard learned Senior counsel for the petitioner,
learned APP for the State and learned counsel for the informant.

2. The petitioner has preferred this application for grant of regular bail in connection with Paliganj P.S. Case no. 200 of 2025 registered under sections 103(1), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act, 1959.

3. As per the prosecution case, the informant states that on 1.5.2025 at 5:00 a.m., two children of her village informed her that her husband had been shot next to the *Hanuman Mandir*. The informant along with the other members of the family reached the place of occurrence and saw her husband on the road having died as a result of gun shot injury.



On being taken to AIIMS, Patna, he was declared dead. The informant further states that on 30.4.2025, Vimal Singh had called him on telephone and said that when he would come from Paliganj, he should get fish. Her husband went with fish on the vehicle of Vimal Singh. All of them had fish together. The informant states that on asking her husband to return with her, Vimal Singh and others stopped him and did not let him return. The informant returned to her house in Paliganj alone. It is further stated that about 10 days ago on the ground of measurement of the land of Hardayal Rajwar, there had been an altercation at the door of Vimal Singh and he had threatened to kill her husband. As such she is convinced that the five named accused persons including the petitioner herein have conspired and killed her husband by shooting him.

4. Learned Senior counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the case. There is no eyewitness to the occurrence. It is submitted that the statement of the informant/fardbeyan was recorded on earlier occasion on 1.5.2025 at 12:45 p.m. at AIIMS, Patna, however surprisingly, the same is not the fardbeyan and part of the FIR, instead the fardbeyan which forms part of the FIR was recorded at 6:30 p.m. In the statement recorded at 12:45 p.m. on the same date,



she states about the close friendship between her husband and Vimal Singh i.e. the petitioner, their having food/party together and moving about on motorcycle. In the fardbeyan which forms part of the FIR, the version given by the informant is different, however the informant does not claim to be an eyewitness. It is further submitted that the prosecution is mainly relying upon the alleged confessional statement of the petitioner made before police. It is categorically denied that any confessional statement was made by the petitioner before the police. Even as per the confession, there was accidental fire from the pistol of the petitioner.

5. Learned Senior counsel further submits that by order dated 16.4.2026, the forensic report of the licensed firearm of the petitioner was called for from the concerned Court below. As per the report received bearing FSL no.2493/2025, Patna dated 14.1.2026 from the Forensic Science Laboratory, Bihar, Patna, the firing that took place resulting in the death of the informant's husband is from some other firearm and not that of the petitioner. The petitioner has no criminal antecedent. It is submitted that accepting the allegations levelled including the so called confessional statement made before police, no case under section 302 of the Indian Penal Code is made out. The petitioner is in custody since 3.5.2025 and chargesheet has been submitted in the case.



6. The application for bail is by opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the FIR but in course of investigation it has transpired that the death of the informant's husband took place as a result of gun shot injury as a result of firing which took place from the petitioner's firearm. The petitioner confessed to the occurrence before the police. If the intention on part of the petitioner was not suspicious and the crime committed not intentional he would not have thrown the dead body on the road. He being the main assailant, the application for bail be rejected.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the informant not being an eyewitness to the occurrence, the material that has transpired in course of investigation including the contents of the fardbeyan of the informant recorded at 12:45 p.m. on 1.5.2025 and the report of the FSL, Patna which states that the fatal bullet was not fired from the firearm of the petitioner together with the petitioner having remained in custody for more than a year since 3.5.2025 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Paliganj P.S. Case no. 200 of 2025 (Sessions Trial no.1909 of 2025) 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 Additional Sessions
Judge-III, Danapur, Patna.

(Partha Sarthy, J)

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