

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72216 of 2022**

Arising Out of PS. Case No.-238 Year-2022 Thana- HARNAUT District- Nalanda

=====  
KANHAIYA KUMAR S/o Late Shyam Sundar Singh @ Late Sulendra Singh  
R/v- Biram Pur, P.S.- Harnaut, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====  
**Appearance :**

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva  
For the Opposite Party/s : Mr. Ram Sevak Choudhary  
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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      20-03-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 188 of the Indian Penal Code & under Section 25 (1-A) (9) and 27 of the Arms Act pending in the learned court below.

Allegation against the petitioner is that when he was dancing with the several dancers on the stage he fired by illegal and prohibited arms in public gathering. The video of the said occurrence was gone viral.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no arm has been recovered from the conscious possession of the petitioner. He further submits



that due to village politics the petitioner has been made accused in the present case. He further submits that petitioner has got four criminal antecedents as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposing the bail application and submitted that it is not a fit case for anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Harnaut P.S. Case No. 238 of 2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

**(Anjani Kumar Sharan, J)**

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