

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24901 of 2024

Arising Out of PS. Case No.-910 Year-2023 Thana- BIHAR District- Nalanda

1. SHAMBU KUMAR S/O SRI SURESH PRASAD R/O ETWARI BAZAR, NEAR DDC RESIDENT, P.S- BIHAR, DISTT.- NALANDA (BIHAR SHARIF).
2. SHYAM KUMAR @ SHEYAM KISHOR KUMAR S/O SRI SURESH PRASAD R/O ETWARI BAZAR, NEAR DDC RESIDENT, P.S- BIHAR, DISTT.- NALANDA (BIHAR SHARIF).

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Subodh Kumar, Advocate
For the Opposite Party/s :	Mr. Bhanu Pratap Singh, APP
For the Informant :	Mr. Anil Kumar No. 1, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner as also the State and the informant.

2. The petitioners are apprehending their arrest in connection with Bihar P.S. Case No. 910 of 2023 for the offence under sections 341, 323, 326, 307, 302, 34 of the I.P.C. and 25(1-B)/A/26/27 of Arms Act lodged on 18.10.2023 by the informant, Ganesh Kumar.

3. As per the prosecution story, the informant alleged that when they reached the house of the accused, the accused persons started assaulting, Shyam Kishor opened fire which miraculously saved the informant side, the petitioner no. 1,



Shambhu Kumar opened fire which hit the right cheek of the informant and thereafter, petitioner no. 2, Shyam Kumar opened fire which hit his brother, Vinay Kumar who immediately succumbed to the injury. Accordingly, the FIR.

4. Allegation is also against other accused persons, specific allegation is against both the petitioners of opening fire which hit the cheek of the informant and the petitioner no. 2, who opened fire causing immediate death of his brother.

5. In that background, no relief can be granted to the petitioners, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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