

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74918 of 2024

Arising Out of PS. Case No.-436 Year-2024 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

Shivam Kumar @ Lalu @ Shivam Son of Sunil Kumar Singh @ Sunil Singh
Resident of Village- Gaushnagar, Hasna Gaddi, P.S.-Gaighat, Distt.-
Muzaffarpur, Presently residing at Mohalla- Balughat, P.S.- Sikandarpur,
Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagjit Roshan, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 13-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Muzaffarpur Town P.S. Case no. 436 of 2024 registered under sections 329(3), 126(2), 127(2), 115, 303(2), 308(2), 308(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that the petitioner and one another came variously armed, caught hold of the informant, assaulted him and resorted to indiscriminate firing. Threats were given with respect to *rangdari* etc.

4. Learned counsel for the petitioner submits that the petitioner who is a young student has been falsely implicated in the case. No such occurrence as alleged has taken place. It is



submitted that after the time of occurrence, an injury report was prepared and thereafter two F.I.Rs have been registered for similar offence in the same police station. No person has been injured in the entire occurrence. The dispute is with respect to financial transaction between the parties and so far as the alleged CCTV footage is concerned, the same has not been verified.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R wherein he along with one another are said to have resorted to indiscriminate firing and of having assaulted the informant, the same having been substantiated from the contents of the CCTV video footage together with the petitioner having two antecedents as mentioned in paragraph no. 3 of the petition, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned trial Court within a period of four weeks.

(Partha Sarthy, J)

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