

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75858 of 2024

Arising Out of PS. Case No.-648 Year-2024 Thana- DANAPUR District- Patna

Golu Kumar S/O Manoj Mahto R/O Biscuit Factory More, Musahri Gali,
Opposite Shankar Cold Store, P.S- Danapur, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party : Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-11-2024 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The present Criminal Miscellaneous application No. 75858 of 2024 has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “BNSS, 2023”) for grant of anticipatory bail to the petitioner who is apprehending his arrest in connection with Danapur P.S. Case No. 648 of 2024, lodged on 21.07.2024, under Sections 126(2), 109, 61(2) and 3(5) of the Bhartiya Nyay Sanhita, 2023 (hereinafter referred to as “BNS, 2023”) and Section 27 of the Arms Act, pending before the Court of A.C.J.M.-Ist, Danapur, Patna.

3. As per the prosecution, FIR has been lodged against two named accused persons including the present petitioner



against whom there is an allegation that they have fired on the informant and the informant has identified the petitioner and the co-accused. It has also been disclosed that at the instance of the co-accused the said firing was made by the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner is aged about 19 years and his age may be taken into consideration. Counsel further submits that from the content of the FIR, it becomes crystal clear that there is no demand of any ransom etc. Counsel further submits that the petitioner is ready to furnish bail bond to the satisfaction of the Court. Counsel further submits that there is allegation of firing against two persons but only one empty cartridge was found on the place of occurrence. Counsel also submits that the antecedent of the petitioner is clean.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that the informant has identified those accused persons who fired upon him.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.



7. It is directed to the petitioner to surrender before the Trial Court within a period of four weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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