

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82807 of 2024**

Arising Out of PS. Case No.-235 Year-2024 Thana- KALYANPUR District- Samastipur

Amarnath Kumar S/o- Kedar Sahani @ Kedar Sahni Village- Bhagirathpur  
Ps-kalyanpur Dist-Samastipur .. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      03-12-2024                      Heard Mr. Shubhesh Pandey, learned counsel for the  
petitioner and Mr. Jitendra Kumar Singh, learned APP.

2. The petitioner is in judicial custody in connection with Kalyanpur P.S. Case No. 235 of 2024 for the offences punishable under Sections 126(2), 109, 115(2) and 190 of the BNS, lodged on 11.09.2024 by the informant, Lalu Pd. Mallah.

3. As per the prosecution story, the police got information that the accused persons are moving on three motorcycles and are resorting to air firing. The police, accordingly, rushed to the place of occurrence and found this petitioner to be apprehended by the locals who was injured also. The firing led to the injuries to the locals/innocent persons (Sintu Kumar as also an unknown person). The organizer of the fair informed that earlier also, accused had come and had quarreled and thereafter this firing, which led to the FIR.



4. Though, learned counsel for the petitioner tried to impress upon this Court that he has been implicated, was also injured and taken to the hospital, no direct allegation is there. He further submitted that the injury sustained by Sintu Kumar and Raushan Kumar are simple in nature caused by hard and blunt substance and the petitioner has clean antecedent.

5. Learned APP, Mr. Jitendra Kumar Singh has pointed out that earlier they quarreled in the fair and later, just to create panic, on three motorcycles, they resorted to firing which hit the innocent persons. But for the timely action of the locals, an untoward incident was bound to happen.

6. Considering the submissions put forward by the parties as also the nature of allegation which has come of putting fear in the minds of the innocent in the society which also clearly proves that they have no respect for the law of land, for the present, this Court is not inclined to extend the privilege of bail, which is accordingly, rejected.

**(Rajiv Roy, J)**

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