

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78653 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- SAHPUR District- Bhojpur

AKASH SINGH S/o LATE ASHOK SINGH R/o vill - Chamarpur, P.S. -
Shahpur, Distt. - Bhojpur at Ara

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-01-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Shahpur Police Station Case No. 351 of 2023, dated 01.08.2023, disclosing offences under Sections 307 of the Indian Penal Code and Sections 25(a), 27 of the Arms Act.
3. As per the prosecution case, the First Information Report has been lodged by the Sub-Inspector of Police-cum-Station House Officer at Bahoranpur outpost on 01.08.2023. The informant received a video clip on whatsapp from Social Media Cell of the Department and upon enquiry, it was found that the video clip received by the informant relates to the celebratory firing done by the petitioner.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence as alleged. The video clip received by the informant relating to the celebratory firing being done by the petitioner is not genuine and except the video clip no evidence is there that suggests the petitioner's involvement in the alleged occurrence. He further submits that until and unless the video clip is supported by other bonafide evidence, the petitioner's implication in the present case is false and based upon the single evidence.
5. I have heard learned counsel for the parties and have gone through the materials available on record. From perusal of the impugned order it appears that learned Sessions Judge, Bhojpur at Ara, while rejecting the anticipatory bail application of the petitioner, has taken note of the witnesses' statement, recorded during the course of investigation, including the statement of local chowkidar. The witnesses have supported the prosecution case that the petitioner was indulged in celebratory firing in marriage ceremony where a large number of persons had assembled. The petitioner is having criminal antecedents also. Celebratory firing is dangerous and



illegal and now-a-days it is rampant in many places at many occasions. It poses a serious risk to public safety. The video clip showing the petitioner's indulgence in celebratory firing is supported by other witnesses also, therefore, there appears to be prima facie evidence against the petitioner, accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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