

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86939 of 2024**

Arising Out of PS. Case No.-299 Year-2024 Thana- MOTIHARI TOWN District- East  
Champaran

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Aaditya kumar Son of Baharan Ram @ Rajkumar Ram Resident of Village-  
Belisharay Sadar Hospital Campus, P.S.- Town, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Advocate  
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      16-12-2024              Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2.      The petitioner apprehends his arrest in connection  
with Town P.S. Case No. 299 of 2024 registered for the offences  
punishable under Sections 307, 326 & 34 of the Indian Penal  
Code and Section 27 of the Arms Act.

3.      Prosecution case in brief is that all the co-accused  
persons including the petitioner have fired upon the informant,  
who was sitting with his mother at ‘*Braham Baba Asthan*’, with  
the intention to kill. In the meantime, mother of the informant  
got injured by fire arm injury, thereafter, she was taken up for  
treatment.

4.      Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. It is submitted that from perusal of the FIR, it appears that there is no specific allegation the petitioner. Name of the petitioner has been unnecessarily roped at the end of the FIR, at the instance of hidden enemies. Altogether eight persons are named in the FIR and the mother of the informant has sustained only one injury and the said injury is not specifically attributed to the petitioner. Other co-accused has been granted regular bail by this Court *vide* order dated 21-09-2024, passed in Cr. Misc. No. 50038 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner does not deserve the privilege of grant of anticipatory bail, considering the nature of allegation.

6. Considering the rival submissions made by the learned counsel for the parties, this Court does not find it fit to grant anticipatory bail to the petitioner, specifically keeping in view the nature and gravity of the offence. Accordingly, prayer for grant of anticipatory bail is ***rejected***.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays



for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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