

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

Arising Out of PS. Case No.-372 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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Dablu Miya @ Sahid Alam Son of Wajir Alam @ Wajir Miya Resident of
Village- Majurahan, P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Ranjana Srivastava, Advocate
For the Opposite Party/s : Mr.Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 6 20-09-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Sangrampur PS case no. 372 of 2023, disclosing
offences punishable under Section 188 of the Indian Penal Code
and Sections 25(9), 27 of Arms Act.
3. The prosecution story, as per the First Information
Report, is that the petitioner along with other co-accused
persons, were indulged in celebratory firing during an orchestra
programme.
4. Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged,
inasmuch he was not present at the place of occurrence and his



name transpired in this case on the basis of disclosure made by the villagers. The petitioner is stated to be having three criminal antecedents.

5. On the other hand, learned APP for the State, referring to the First Information Report, submits that the police received a viral video of the celebration, in which some of the persons were resorting to celebratory firing and the local persons identified the petitioner and one another co-accused namely Chunnu Miya.

6. I have heard learned counsel for the parties and have gone through the materials available on record.

7. From perusal of the impugned order, it appears that learned District Court, while rejecting the anticipatory bail application of the petitioner, has taken note of the fact that the witnesses have supported the prosecution case that the petitioner was indulged in celebratory firing in the orchestra programme, where a large number of persons had assembled. The 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 petitioner's indulgence in celebratory firing is supported by other witnesses also. Therefore, it appears that *prima facie* materials are



available on record against the petitioner. The anticipatory bail application of similarly situated co-accused has been dismissed by this Court vide order dated 24.01.2024, passed in Cr. Misc. No. 113 of 2024.

8. Accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.

9. This application is, accordingly, rejected.

10. However, if the petitioner surrenders before the learned District Court and seeks regular bail, the learned District Court will consider the same on its own and without being prejudiced that anticipatory bail application of the petitioner has been dismissed by this Court.

(Anil Kumar Sinha, J)

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