

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3184 of 2025

Arising Out of PS. Case No.-88 Year-2024 Thana- Bhawanipur District- Bhagalpur

Ashik Kumar Son of Subedar Sharma Resident of Village - Ashatol, P.S. -
Bhawanipur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 19-02-2025 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 Bhawanipur Police Station Case No. 88 of 2024,
disclosing offences under Sections 147, 148, 149, 323, 307, 504,
506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 16.06.2024 the
petitioner along with other accused persons and four to five
unknown persons abused and assaulted the informant.
Thereafter on 18.06.2024, at about 7.00 p.m, the informant was
going to the house of Sudhanshu Kumar for the settlement of
aforesaid dispute but on the way Sudhanshu Kumar, who was
having 315 bore rifle, Sumit Kumar and Ashik Kumar who were
having pistol in the their hands and other accused persons who
were having lathi and danda in their hands surrounded the



informant and fired upon him. The bullet fired by Sudhanshu Kumar hit at right hand of the informant due to which he fell down. When people gathered on spot, miscreants fled away from the spot.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the present case due to local party politics. Allegation of firing is against Shudhanshu and no such allegation is against the petitioner, rather, the allegation against the petitioner is general and omnibus of holding pistol in his hand. It is clear from the injury report that there is no injury except one injury of fire arm on the right hand of the informant.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that specific allegation of firing is against the petitioner, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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