

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6054 of 2025

Arising Out of PS. Case No.-3 Year-2024 Thana- NAUBATPUR District- Patna

Shiv Kalyan @ Shiv Kalyan Kumar Son of Sanjay Singh @ Vishwa Sinjay
Sharma Resident of Village - Virpur (Sarasat), P.S. - Naubatpur, District -
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 09-05-2025 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Naubatpur P.S. Case No. 03 of 2024 registered for the offences punishable under Sections 323, 341, 384, 447, 504 and 506/34 of the Indian Penal Code.

3. The allegation against petitioner is to open fire upon informant along with other named co-accused persons.

4. It is submitted by learned counsel appearing on behalf of the petitioner that admittedly no firearm injury was caused to informant from alleged firing. It is pointed out that this petitioner implicated out of local dispute and differences.



As far recovery is concerned, it is submitted that one live cartridge was recovered from the co-accused Suraj Kumar. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

5 Learned APP, while opposing the prayer of anticipatory bail submitted that the informant is the eye witness of the occurrence who specifically alleged petitioner to open fire upon him. It is pointed out that as per seizure list the empty cartridge/ Pilate out of alleged firing was recovered from place of occurrence by the police suggesting *prima-facie* allegation true as raised by informant against petitioner.

6. In view of aforesaid factual submissions and by taking note of fact as *prima-facie* firing appears to be made by this petitioner upon informant, accordingly, prayer of anticipatory bail of the above-named petitioner is **rejected** herewith.

(Chandra Shekhar Jha, J)

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