

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7414 of 2025

Arising Out of PS. Case No.-579 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Anmol Kumar S/o- Mithlesh Singh Village- Katra Newaji Tola Ps- Rivilganj
Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 22-03-2025 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 Bhagwan Bazar Police Station Case No. 579 of 2024, dated 06.11.2024, disclosing offences under Sections 125/289/292 of the Bhartiya Nyaya Sanhita and Sections 27/30 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that the Inspector -cum- Station House Officer at Bhagwan Bazar Police Station, on 06.11.2024, received a viral video clip on his Govt. Mobile No. 94318224494, in which, the petitioner was firing indiscriminately in air by waving country made pistol (katta) behind a dancer, dancing on a trolley. Upon verification and identification



by the police, the local people disclosed the name of the petitioner and also stated that there is spray of fear and terror of the petitioner, who is indulged in keeping illegal arms and used to open firing in procession “barats” etc. 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 and he has falsely been implicated in this case on the basis of false and frivolous allegations and due to local business rivalry. The video clip relating to the celebratory firing is not genuine and except the video clip no evidence is there that suggests the petitioner’s involvement in the alleged occurrence. He next submits that nothing has been recovered from the conscious possession of the petitioner and/or premises belonging to him. He further submits that other than the video clip no substantial material in supported of the allegation has been collected during the course of investigation against the petitioner. The petitioner has got no criminal antecedent.

5. On the other hand, learned counsel for the State



vehemently opposes the prayer for anticipatory bail and submits that prima facie there is specific allegation against the petitioner, which would be evident from the viral video and FIR itself. He next submits that the petitioner is a threat and antisocial element due to which there is fear and terror in the locality.

6. I have heard learned counsel for the parties and have gone through the materials available on record, including the impugned order.
7. From perusal of the impugned order, it appears that learned Additional Sessions Judge V, Saran at Chapra, taking note of the the para nos. 3, 4 and 5 of the case dairy and taking into consideration the nature of allegation against the petitioner has rejected the prayer of anticipatory bail application. Further, from the First Information Report, it appears that the video clip showing the petitioner's indulgence in celebratory firing is verified from the police by the local persons. 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. There appears to be prima facie case against the petitioner, accordingly, I am not inclined



to grant the petitioner privilege of anticipatory bail.

8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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