

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13433 of 2025

Arising Out of PS. Case No.-518 Year-2024 Thana- PAKARIBARAW District- Nawada

1. Nitish Kumar Son of Ashok Singh Resident of Kabla, P.O. - Budhauri, P.S. - Pakriwarwan, District - Nawada
2. Raj Kumar @ Chaman Son of Sidheshwar Mahto Resident of Kabla, P.O. - Budhauri, P.S. - Pakriwarwan, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Ranjan, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioners who apprehends their arrest in connection with Pakriwarwan P.S. Case No. 518 of 2024 lodged on 24.11.2024, for the offence punishable under Sections 109, 118(2), 127, 191(3) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as "BNS, 2023") read with Section 25(1-B)(a), 27 & 35 of the Arms Act.

3. As per the prosecution, FIR has been lodged against



10 named accused persons (including the present petitioners) and 5 unknown persons against whom there is allegation that they have abused the informant and two other persons and also fired upon them.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that petitioners and informant are co-villagers. Counsel further submits that petitioners have no criminal antecedent. Counsel submits that for the same date and place of occurrence, there is case and counter case i.e. one case has been filed from the petitioners' side bearing Pakriwarwan P.S. Case No. 524 of 2024 and one case has been filed from the informant's side bearing Pakriwarwan P.S. Case No. 518 of 2024.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for anticipatory bail of the petitioners are hereby rejected.

7. It is directed to the petitioners to surrender before the Trial Court within a period of 4 weeks from today. In case, petitioners surrenders within four weeks, then the Trial Court is



directed to pass order on their surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioners has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

Divyansh/-

U		T	
---	--	---	--

