

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16977 of 2025**

Arising Out of PS. Case No.-535 Year-2023 Thana- KHAGARIA District- Khagaria

Jitendra Kumar Priyadarshi @ Guddu Paswan Son of Ramotar Paswan  
Resident of Village- Bhadas South, PS -Muffasil, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      19-03-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest in connection with Khagaria (Muffasil) P.S. Case No. 535 of 2023 instituted for the offences under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

3. Prosecution case, in short, is that while the informant along with his brother was at a shop, the accused persons, variously armed, came at the shop and surrounded them. It is further alleged that one Manoj Kumar Gupta fired upon his brother and other accused persons indiscriminately fired at the brother of the informant due to which he died.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and



omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that the specific allegation of firing is attributed to one Manoj Kumar Gupta. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that there is allegation of firing against the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the nature and gravity of offence, in my view, this is not a fit case for grant of anticipatory bail, hence, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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