

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18080 of 2025

Arising Out of PS. Case No.-140 Year-2024 Thana- JURAWANPUR District- Vaishali

Bablu Sah, Son of Late Bujhawan Sha, Resident of Village - Jurawanpur
Karari, Ward No. 17, P.S. - Jurawanpur, District - Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Jurawanpur P.S. Case No.140 of 2024 registered under Sections 190, 191(1), 191(3), 115(1), 118, 74, 303, 109 of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.') and Section 27 of the Arms Act.

3. Allegation against the petitioner is to assault the informant and others during the occurrence with intention to cause their death. It is further alleged that petitioner opened fire during the occurrence.

4. It is submitted by learned counsel appearing for



the petitioner that the allegation against the petitioner is limited as to open fire in air however, without hitting anyone. It is submitted that fire as alleged to be made by this petitioner was non-targeted and, therefore, it cannot be said that he was under intention to cause death or was under knowledge that his act may likely to cause death. It is further submitted that occurrence was free fight in nature, where both parties received injuries for which the petitioner's side already lodged Jurawanpur P.S. Case No.128 of 2024. It is further submitted that the co-accused person, who have assaulted the informant and others was granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.82068 of 2024 dated 10.12.2024.

5. Learned APP opposed the prayer for anticipatory bail of the petitioner.

6. In view of aforesaid factual submissions and by taking note of fact as *prima facie* allegation of firing not appears targeted, where occurrence appears free fight in nature, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of



four weeks from today is directed to be released on bail on
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of
the learned Chief Judicial Magistrate, Vaishali at Hajipur in
connection with Jurawanpur P.S. Case No.140 of 2024,
subject to the conditions as laid down under Section 438(2) of
the CrPC./under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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

