

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17477 of 2025

Arising Out of PS. Case No.-449 Year-2024 Thana- BIDUPUR District- Vaishali

Nikhil Kumar @ Nikhil Singh S/o Jwala Singh R/o vill - Mathura, P.S.-
Bidupur, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-03-2025 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 Bidupur P.S. Case No. 449 of 2024, disclosing offences under Sections 75, 351(2)/109 of the Bhartiya Nyaya Sanhita, 2023 and under Sections 27 of the Arms Act.

3. The prosecution case as per the First Information Report, many unsocial element used to visit house of Pappu Rai and used to tease and misbehave with the females of the locality. On 26.07.2024, when informant's father made a complaint to the grandfather of co-accused Khusboo Kumari, the accused persons started abusing and threatening to kill him. In the meanwhile, Khusboo Kumari called her criminal associates/friends and told them to kill the informant's father



upon which petitioner fired from his gun which hit on the informant's chest.

4. Learned Senior Counsel for the petitioner argued that petitioner has falsely been implicated in this case due to previous enmity between the parties. Sitaram Rai, grandfather of the informant and Sakal Rai grandfather of one Sachin Kumar were full brothers. Sachin Kumar with some people were creating nuisance in entering in Government Middle School, Mathura and threatening the female teachers of School for which Headmaster of School lodged Bidupur P.S. Case No. 412 of 2024 on 21.07.2024 against them in which petitioner is named as witness in the F.I.R., this was the reason for false implication of the petitioner in the present case. He further submits that the informant has sustained simple injury as opined by the doctor and there is delay of four days in lodging the present F.I.R.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that there is specific allegation of firing against petitioner upon which informant has sustained gunshot injury.

6. Regards being had to submissions made on behalf



of the parties and taking into consideration the fact that there is specific allegation of firing against the petitioner and victim has sustained gunshot injury, petitioner is having criminal antecedents, I am not inclined to grant the petitioner privilege of anticipatory bail and the same is rejected.

7. This application is accordingly, rejected.

(Anil Kumar Sinha, J)

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