

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17780 of 2025

Arising Out of PS. Case No.-351 Year-2024 Thana- HARNAUT District- Nalanda

Ajay Kumar S/O Harrendra Prasad @ Vijay Singh R/o Sri Chandpur, P.S.-
Harnaut, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Chaudhary, Adv.
Mr. Sushen Kumar Keshri, Adv.
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP
For the Informant : Mr. Rakesh Kumar Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 15-05-2025 Heard Mr. Nilendu Chaudhary, learned counsel for the
petitioner, Mr. Satyendra Narayan Singh, learned APP for the
State and Mr. Rakesh Kumar Sharma, learned counsel for the
informant.

2. The petitioner apprehends his arrest in connection
with Harnaut P.S. Case No. 351 of 2024 registered for the
offences punishable under Sections 109, 3(5) of BNS and
Section 27 of the Arms Act.

3. The allegation against the petitioner is of causing
firearm injury over the waist of his father (informant).

4. Learned counsel for the petitioner contended that
the FIR clearly suggests that before institution of the FIR, the
the informant was taken to the Primary Health Center and



thereafter PMCH, where his treatment was done but, surprisingly, neither any *fardbeyan* was recorded on any place nor the FIR has been lodged at any police station. Falsity of the case is also writ large that the informant stated that on the exhortation made by the daughter-in-law, this petitioner, who happens to be son of the informant has fired upon him. However, during the course of investigation, it has come that on the alleged date of occurrence, the daughter-in-law (Soni Kumari) had been at Kota, Rajasthan. The reason for occurrence is writ large, as the petitioner has been residing with his mother whereas the younger brother of the petitioner has been residing with the informant and since the informant wanted to give all his share to the younger son and the same was being protested by the petitioner. It has further been contended that the informant is carrying eight criminal antecedent over his head, which clearly suggests his criminal mentality. Moreover, the injury report does not disclose whether it is a grievous one or simple.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the accusation against the petitioner is serious that he made firing upon his father due to which he sustained bullet injury over his waist,



which is also corroborated from the injury report.

6. Regard being had to the submissions made on behalf of the parties and considering the specific accusation against the petitioner of causing firearm injury to his father, this Court is not acceded to the prayer for anticipatory bail to the petitioner. Accordingly, his prayer is rejected.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and seeks regular bail, the same shall be considered on its own merit(s) without being prejudiced in any manner by the present order.

(Harish Kumar, J)

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