

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22186 of 2025

Arising Out of PS. Case No.-550 Year-2024 Thana- PARSABAZAR District- Patna

Mukesh Kumar S/o Rajdeo Singh @ Ramdeo Singh R/o Dashratha Sahid
Ram Govind Singh Path, Phulwari, P.S.- Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate
Mr. Anjani Parashar, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

5 16-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Parsa Bazar P.S. Case No. 550 of 2024 registered for the offences punishable under Sections 126, 109, 352, 351(1) and 3(5) of the Bhartiya Nayay Sanhita, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, marriage of informant's nephew was solemnized on 25.11.2024 and dispute arose on the issue of collision of informant's vehicle with some other vehicle. It is alleged that petitioner is one of the accused persons against whom FIR was registered. It is further alleged that co-accused Abhishek Patel is said to have fired upon informant's



son as a result of which informant's son sustained severe injury and fell down.

4. Learned counsel for the petitioner submits that from the perusal of FIR, it appears that the occurrence took place on 25.11.2024 at 11:00 PM and FIR was registered on 26.11.2024 at 11:30 PM i.e. after delay of about 24 hours and no explanation has been given regarding the said delay. He further submits that no specific allegation of firing is attributed against the petitioner rather the allegation is general and omnibus in nature. He further submits that allegation of firing is attributed against co-accused Abhishek Patel and the same is evident from the story of prosecution. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He is merely a person who is found at the place of occurrence, as per the version of story of prosecution. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that though, there is specific allegation of firing against co-accused Abhishek Patel who is said to have fired upon informant's son, namely, Sudhanshu Raj which is quite evident from the injury report of said injured. He further submits that petitioner is one



of the FIR named accused persons who had participated in the alleged occurrence and he cannot escape from the liability of the alleged occurrence. Hence, he does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, no specific overt-act attributed against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned JMFC, Patna in connection with Parsa Bazaar P.S. Case No. 550 of 2024, subject to the conditions as laid down under Section 482 (2) of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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