

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27067 of 2025

Arising Out of PS. Case No.-330 Year-2024 Thana- BRAHMPURA District- Muzaffarpur

Adarsh Raj S/o Shyam Kumar Singh R/o Village- Police Line Sri Ram, P.S.-
Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari
For the Opposite Party/s : Mr. Rabindra Kumar
For the State : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 06-05-2025 1. 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 Brahmpura Police Station Case No. 330 of 2024, dated 28.12.2024, disclosing offences under Sections 126(2)/109/351(1)/352 of the Bhartiya Nyaya Sanhita. And Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 27.12.2024, at about 09:00 PM, the informant heard sound of gunshots and when he looked for it, a person came in front of his house and started abusing. When cousin of the informant, namely, Suresh Sharma, objected, then the person fired 4-5 bullets with an



intention to kill him, however, one bullet hit informant's shop and other went indiscriminately. Thereafter, the person fled away on Pulsar motorcycle, bearing registration no. BR06-CQ-2914. It has further been alleged that the reason behind the occurrence is that there is love affair between the informant's sister-in-law and the person, who fired, which was objected by the informant and his family members. The police was informed, who arrived at night and recovered three bullet cartridges from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is not named in the First Information Report and he has falsely been implicated in the present case due to ulterior motive and village politics. He next submits that petitioner has not committed any offence in the manner alleged. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner and/or premises belonging to him except the motorcycle, in question. He further submits that the brother of the informant has lodged Brahmpura Police Station Case No. 09 of 2025 against the petitioner as well as the wife of the complainant of the aforesaid case for



the occurrence which took place on the same date alleging therein that both the petitioner and wife of the complainant are in illicit relationship.

5. I have heard learned counsel for the parties and have gone through the materials on record, including the impugned order.
6. From perusal of the impugned order, it appears that the motorcycle, in question, which was used during the occurrence was recovered from the house of the petitioner, who is the owner of it and three empty cartridges were also recovered from the place of occurrence, which would be evident from the seizure list.
7. Considering the aforesaid, the nature of allegation and the fact that petitioner is having two criminal antecedents of similar nature of offence, I am not inclined to grant the petitioner privilege of anticipatory bail.
8. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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