

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29891 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- PACHMAHLA District- Patna

=====

Anant Singh @ Anant Kumar Singh S/O Late Chandradeep Singh (Ex MLA)
R/O Village- Nadawa, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Raj Krishna Jha, Adv
For the Opposite Party/s	:	Mr. Ajit Kumar, APP
For the Informant	:	Mr. Parmod Kumar, Adv

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 05-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Panchmahla P.S. Case No. 05 of 2025 registered for the

offences under Sections 191(2), 191(3), 190, 223(a), 132,

109(1), 352 and 351(2) of the Bharatiya Nyaya Sanhita &

Section 27 of the Arms Act.

3. The petitioner is named in the F.I.R. and is in

custody since 24.01.2025, upon surrender.

4. As per FIR, petitioner along with other co-

accused persons on 22.01.2025 arrived at the village of the

informant at about 4:30 PM and open fired in air using his



rifle. It is further alleged that firing was also made targeting the informant, however informant saved her life. It is also alleged that subsequently indiscriminate firing was also done.

5. Learned counsel appearing on behalf of the petitioner submitted that for the present occurrence, Pachmahla P.S. Case No. 4 of 2025 was already lodged by police, that is by SHO of Pachmala Police Station, Patna, being informant, stating therein that the occurrence took place at village Naurarga and as per the FIR the firing was opened from both sides, where after the occurrence several empty cartridges were seized from the place of occurrence. It is submitted that exchange of firing took place between the petitioner's side and side of son of the informant, for which the petitioner and son of informant were granted bail by different learned Co-ordinate Benches of this Court through Cr. Misc. No. 30858 of 2025 dated 15.05.2025 & Cr. Misc. No. 28570 of 2025 dated 29.05.2025.

6. Travelling further, in argument, it is submitted by learned counsel for the petitioner that out of personal vengeance mother of one of the co-accused of Pachmahla



P.S. Case No. 4 of 2025 namely Sonu Kumar present case was lodged, which is also for the same occurrence for which Pachmahala P.S. Case No. 4 of 2025 was lodged already and further to save her from the counter case, which was lodged as Pachmahla P.S. Case No. 6 of 2025, by one of the injured believing him as an associate of petitioner, to counter the same, present case was lodged by the informant. It is pointed that the son of the informant being accused of Panchmahla P.S. Case No. 6 of 2025 has already granted bail through Cr. Misc. No. 30858 of 2025 dated 15.05.2025.

7. Travelling further in argument, it is submitted by learned counsel for the petitioner that from the face of FIR itself, it can be gathered safely that the alleged firing was made in air, prima-facie suggesting the intention of petitioner that he was not intended to kill any person. It is pointed out that it is a case of indiscriminate firing but none received injuries during the occurrence from the informant's side, rather due to firing from side of son of the informant, one alleged associate of petitioner received injury for which Pachmahla P.S. Case No. 6 of 2025 was lodged, where son of



informant was granted bail as discussed aforesaid. It is also submitted that from narration as set out through FIR, it can be gathered safely that petitioner was not under intention to cause death of the informant as same is required to be gathered from several circumstances, pre and post occurrence and in support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Jage Ram and Others Vs. State of Haryana, [(2015) 11 SCC 366]**.

8. It is pointed out that investigation of this case has already been completed, where charge-sheet has been submitted and there is no further requirement of custody of the petitioner and moreover, there is no any chance of tampering with the evidence

9. While concluding the argument it is submitted that the main reason for objection of bail petition is criminal antecedents of this petitioner, as petitioner said to be involved in total of 62 cases. It is pointed out that petitioner admittedly having a long political background as he is in active politics since 1985-90 and was also the ex-MLA, which is one of the



reasons for lodging such large number of false cases against him, where petitioner in 49 cases, either acquitted or final form submitted exonerating him due to false implication and as such it would not be proper to count all such cases as criminal antecedents of petitioner and therefore in actual only 13 cases are pending against him out of which he is on bail in all 12 cases, except present.

10. Learned counsel further submitted that if the merit of case otherwise appears convincing in favour of petitioner, merely on the basis of his criminal antecedents, ordinarily bail of petitioner should not be declined and in support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari Vs. State of Uttar Pradesh and Another, [(2020) 11 SCC 648]**.

11. Learned APP duly assisted by learned counsel appearing on behalf of the informant, Mr. Pramod Kumar, while opposing the prayer for bail submitted that allegation of open-firing in FIR is specific against petitioner. It is pointed out that petitioner having a long list of criminal antecedents



and he is a threat to the society, therefore, the prayer of bail of petitioner should not be entertained. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Neeru Yadav Vs. State of Uttar Pradesh and Another, [(2016) 15 SCC 422]**. However learned counsel appearing on behalf of informant could not disputed the factual submissions as advanced by learned counsel for the petitioner *qua* criminal antecedents as submitted aforesaid.

12. In view of aforesaid facts and circumstances as mentioned above and by taking note of fact as for the present occurrence Pachmahla P.S. Case No. 4 of 2025 has already been registered by the police, where petitioner was already granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 28570 of 2025 dated 29.05.2025 and prima-facie in the background of enmities, for same occurrence present FIR was lodged against petitioner by mother of one of the co-accused of Pachmahla P.S. Case No. 4 of 2025, coupled with the fact as petitioner remains in custody since 24.01.2025, accordingly above



named petitioner, is directed to be released on bail in connection with Panchmahla P.S. Case No. 05 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Patna/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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

