

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28025 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- MANIHARI District- Katihar

Mrityunjay Mouwar @ Gagan Mouwar @ Mrityunjay Kumar Mouwar Son of
Dinendra Mouwar @ Dinu Resident of Bhagwati Sthan Manihari, Ward No.-
5, P.S.- Manihari, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal- Sr. Advocate

Mr. Madhumay Madhup

For the Opposite Party/s : Mr. Murli Dhar- A.P.P.
Mr. Anand Kumar Tiwari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 13-08-2025 1. Heard learned senior counsel for the petitioner,

learned APP for the State and the learned counsel appearing on

behalf of the informant.

2. The petitioner seeks bail in anticipation of his
arrest in Manihari P. S. Case No.24 of 2025 registered for the
offences punishable under Sections 109, 351(2), 3(5) of the
B.N.S. and Section 27 of the Arms Act.

3. The learned senior counsel for the petitioner
submits that the petitioner is a person with clean antecedent and
in sum and substance, the allegation, as alleged in the FIR, is
that informant alleges that on order of Dinendra, petitioner fired
causing firearm injury on left side of his abdomen.



4. The learned senior counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that no doubt, the injured suffered firearm injury, but then, during the course of investigation, the statement of the brother in-law of the injured was recorded at Para-68 of the case diary, wherein brother in-law of the injured has stated that during immersion of Goddess Kali, the petitioner along with other were indulging in firing when someone pulled the hand of the petitioner which led to the occurrence, as such, it is submitted that causing firearm injury was not a deliberate act on part of the petitioner.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application and submits that no doubt, at Para-68 of the case diary, the statement of the brother in-law of the injured has been recorded, but then, it is submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant specifically alleges that Dinendra, the father of the petitioner was indulging in firing at the time of immersion of Goddess Kali, which was objected by the informant which enraged Dinendra and on his order, his son fired causing firearm injury.



6. Considering the submissions made by the learned A.P.P. as well as the learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The prayer of the petitioner for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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