

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32440 of 2025

Arising Out of PS. Case No.-146 Year-2024 Thana- Gidhaur District- Jamui

Badal Kumar Singh Son of Nand Kishore Singh Resident of Village -
Gidhour, P.S.- Gidhour, District - Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Gidhour P.S. Case No. 146 of 2024 registered for the offences punishable under Sections 109, 351(2) of B.N.S. and 27 of the Arms Act.

3. As per prosecution case, petitioner is said to have made four to five round of firing upon the informant. It is further alleged that informant resides with his wife and two children and petitioner used to quarrel with the informant and his wife. It is further alleged that informant's father has sold the land and money has been given to the petitioner. It is further alleged that petitioner has taken away bullet motorcycle on the pretext that he would return the motorcycle within six months



but same has not been returned.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that from perusal of the FIR it is crystal clear that petitioner and informant are brother and there is land dispute between the parties and in cases of land dispute, facts are generally exaggerated to make the offence graver. He further submits that though there is allegation of making four to five round of firing against the petitioner but no one has sustained injury, as mentioned in the impugned order itself. He further submits that pragmatically and prudently the informant himself has not made any averment in the FIR that by virtue of firing he made an attempt to a close shave his body. In this way, allegation of firing is merely ornamental in nature. Apart from that, petitioner has no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of 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 Additional Chief Judicial Magistrate-1, Jamui in connection with Gidhour P.S. Case No. 146 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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