

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33674 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Shubham Kumar @ Samir Prakash Anand S/O Awadh Ray @ Avadh Ray @
Awadhesh Kumar R/O Village Jitwarpur Nizamat Bullochak, PS Samastipur
Muffasil, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Nidhi Anand, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 14-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 109, 303(2), 324(4), 352 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The allegation in the First Information Report is that all the named accused persons including the petitioner and 4-5 unknown persons came at the informant's shop and started abusing and assaulting the informant. Upon protest, co-accused, namely, Abhishek Kumar opened fire.

4. Learned counsel for the petitioner submits that it would be apparent from the First Information Report itself that there is general and omnibus allegation against the petitioner of



hurling abuses and throwing articles, whereas the specific allegation of firing is on co-accused, namely, Abhishek Kumar. The informant had not sustained any injury and, as a matter of fact, no such occurrence had occurred in the manner as alleged.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Taking into consideration the facts and circumstances of the case as well as the fact that thrust of the allegation is upon co-accused, Abhishek Kumar, let the above named petitioner, who has no criminal antecedent, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Samastipur Muffasil P.S. Case No.31 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

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