

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37225 of 2025

Arising Out of PS. Case No.-58 Year-2023 Thana- GANDHIMAIDAN District- Patna

Raushan Kumar S/o- Ram Pravesh Singh R/o Village- Jalpura, Ps- Paliganj
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Singh

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 04-07-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Gandhi Maidan P.S. Case No. 58 of 2023 registered for the
offences under Sections 188, 302, 353, 427, 504, 506, 120(B) of
I.P.C. and Section 3/4 of Prevention of Damage to Public
Property Act, 1984 and Section 25(1-b)a, 26, 27, 35 of Arms
Act.

3. As per the prosecution case, the allegation is that
during the immersion of Saraswati Idol, around 100 persons
were present, and some of them were resorting to intermittent
firing. Further four named accused persons are said to have been
firing in the air. It is further alleged that during such celebratory
firing, one shot was received by one of the onlookers who



succumbed to the injuries at P.M.C.H. It is alleged that the petitioner, who happens to be the license holder of the said Saraswati Puja Committee along with three other persons was instigating the accused persons who were firing.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case only because he happens to be a person under whose *Samiti* the said celebration was being done. It is further submitted that from mere reading of the FIR it would be evident that there is no specific allegation upon the petitioner to have fired rather it is only stated that the petitioner had been instigating the other accused persons. Further submission is that petitioner has clean antecedent and he undertakes to assist in the investigation as well as the trial of the case.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties and also considering the fact that there is no specific allegation upon the petitioner, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today,



on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna in connection with Gandhi Maidan P.S. Case No. 58/2023 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of the B.N.S.S.

7. This application stands disposed of.

(Sourendra Pandey, J)

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