

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35282 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- Lakho District- Begusarai

Nunubabu Paswan S/O Late Ram Chandra Paswan R/O Village- Wajidpur,
Ward No. 45, P.S- Lakho (Muffasil), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Lakho P.S. Case No. 14 of 2025 registered for the offences punishable under Sections 109(1), 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per prosecution case, petitioner is said to have made firing which hit in the ribs of informant's husband.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated in this case. Learned counsel submits that no motive has been attributed against the petitioner for committing the alleged crime. He submits that petitioner had no any *mala fide* intention,



rather the alleged occurrence took place in the state of rage. The alleged occurrence took place on 29.01.2025 at 19.30 pm and the present FIR has been lodged on 30.01.2025 at 17.10 pm after a delay of about 24 hrs, but there is no explanation in the FIR for the alleged delay as the nearest police station is situated at a distance of only 1.5 kms. Petitioner bears criminal antecedent of two cases in which he is already on bail.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner. He submits that there is specific allegation of firing against the petitioner which hit in the ribs of the husband of the informant. He further submits that doctor has found gun shot injury which is grievous in nature, as is evident from the Injury Report as mentioned in para 58 of the case diary.

6. Considering the facts and circumstances of the case and there is specific allegation of firing against the petitioner which is corroborated by the injury report of the informant's husband who has sustained gun shot injury, this Court is not inclined to grant privilege of anticipatory bail to the petitioner and accordingly, the same stands rejected.

7. However, in case petitioner surrenders before the concerned court within three weeks from today and seeks



regular bail, the concerned court may pass appropriate order on the day of hearing without being prejudiced by order of this Court.

8. The application stands disposed of.

(Alok Kumar Pandey, J)

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