

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42416 of 2025**

Arising Out of PS. Case No.-48 Year-2025 Thana- MOHANPUR District- Samastipur

Sujit Kumar @ Sujit Ray S/o Suresh Ray R/o Village- Dumri Dakshini, P.S.-
Mohanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Advocate Mr. Amit Kumar, Advocate
For the State	:	Mr. Raj Ballabh Singh, A.P.P
For the Informant	:	Mr. Vishal Vikram Rana, Advocate Ms. Misha Bharti, Advocate

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 09-07-2025 Heard learned Senior counsel for the petitioner and

learned A.P.P for the State. Learned counsel for the informant

appeared *suo-motu* in this case.

2. The petitioner is apprehending arrest in connection
with Mohanpur P.S. Case No. 48 of 2025 lodged on 15.03.2025,
for the offence punishable under Sections 126(2), 115(2),
118(2), 109, 352, 351(2), & 3(5) of the Bharatiya Nyaya
Sanhita, 2023 read with section 27 of the Arms Act, pending in
the Court of Additional Chief Judicial Magistrate, Shahpur
Patori, Samastipur.

3. As per the prosecution, FIR has been lodged against
5 named accused persons including the present petitioner. It has
been alleged in the FIR that the accused persons were armed



with pistol and opened fire upon the informant and while the informant was trying to escape, he was hit by a bullet on his stomach and when the informant's co-villager came to rescue, he was also hit by a bullet, due to which both of them sustained injury.

4. Learned Senior counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Senior counsel submits that in the FIR itself, it is contended that the petitioner is a political person and due to political rivalry, his name has been inserted in this case. Senior counsel submits that Annexure-2 has been lodged by one Rita Devi in the same case and name of Mahesh Ray has been inserted in other co-accused column. Senior counsel further submits that the criminal antecedent of the petitioner is not clean as there are two cases pending against him and in both the cases, he is on bail. Senior counsel submits that the petitioner is a prestigious person and ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned counsel appearing for informant vehemently opposes the prayer for bail and submits that specific allegation is against five persons that they were keeping pistol in their hand and made indiscriminate firing due to which, injury



has been caused. Counsel submits that the injury is grievous in nature and not only that, the second time firing has been made due to which other person has been injured and both were taken to the hospital for treatment. Counsel submits that the reason of firing is also stated in the FIR itself in which accused persons have fired upon the informant due to the reason that he informs the police regarding business of illegal mining and illicit liquor. Counsel further submits that Annexure-2 has nothing to do with the present case as father's name of Mahesh Ray is different in both the cases.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean as there are two cases pending against him and this aspect must be taken into consideration.

7. In the present facts and circumstances and particularly seeing the injury to the two persons, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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