

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49310 of 2025**

Arising Out of PS. Case No.-719 Year-2024 Thana- DARIYAPUR District- Saran

Nitish Kumar Suman @ Nitesh Son of Dinesh Kumar Suman R/O Village -
Magarpal Nuran, P.S.- Dariyapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Tiwary, Advocate
Mr. Ashok Kumar, Advocate
For the State : Mr. Binod Kumar, APP
For the Informant : Mr. Nawal Kishore Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner, learned counsel
for the informant as well as the learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Dariyapur P.S. Case No. 719 of 2024, registered for the offences
punishable under Sections 126(2), 115(2), 118(1), 109, 352, 351(2),
3(5) of the BNS, 2023 and Section 27 of the Arms Act.

3. As per the allegation, the petitioner along with other co-
accused person is said to have abused the nephew of the informant
(Rahul Kumar) and the petitioner is alleged to have fired upon him as
a result of which he suffered fire arm injury.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in this
case. He further submits that there is no recovery of any



incriminating article from the possession of the petitioner.

5. On the other hand, learned APP for the State and learned counsel for the informant have opposed the prayer for bail of the petitioner and submits that medical report of the nephew of the informant corroborates that the injury suffered by him was caused by fire arm and petitioner has three criminal antecedent.

6. Considering the above-mentioned facts and circumstances and also the fact that the petitioner is the direct assailant in the present case, he does not deserve the privilege of anticipatory bail.

7. Accordingly, the bail application stands rejected.

(Nawneet Kumar Pandey, J)

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