

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51648 of 2025

Arising Out of PS. Case No.-187 Year-2025 Thana- PATNA CITY CHOWK District- Patna

Vikash Kumar S/o Vijay Kumar R/o Mohalla- Kaimashikoh, P.S.- Chowk,
Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Chowk P.S. Case No. 187 of 2025, dated 18.05.2025, lodged under Sections 126(2), 352, 109 & 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”) and Sections 25(1-B)(a), 26, 35 & 27 of the Arms Act, pending before the Court of A.C.J.M-VI, Patna City, Patna.

3. As per the prosecution, FIR has been lodged against four named accused persons, including the present petitioner, alleging that all the accused persons surrounded the informant’s son in relation to an accident that took place one week ago. Meanwhile, it is alleged that one firing was made, due to which the informant received an injury to his stomach.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that there is no specific allegation of firing or any act or overt act against the petitioner. Counsel also submits that the specific allegation is against the co-accused, Sumit Kumar, who fired on the informant's son. Additionally, counsel submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is a specific allegation against the present petitioner that the alleged *katta* was brought from the petitioner's house. It has been specifically mentioned in the impugned order that all the witnesses, along with the victim of the case, stated that the petitioner was present at the time of the commission of the crime.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application



on the same day without being prejudice that the anticipatory
bail of the petitioner has been rejected by this Court and the
Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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