

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58938 of 2025

Arising Out of PS. Case No.-224 Year-2025 Thana- RAJGIR District- Nalanda

Shailendra Kumar @ Rider S/O Pappu Prasad R/O Village- Paharhpura, P.S.-
Bihar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-09-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109(1) and 3(5) of the BNS as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of three cases and the informant alleges that four accused persons on 28.04.2025, at 10:30 a.m., came and asked his name. Further, on coming to know the name of the informant, the accused started assaulting him and one accused who had a lock (Shikha) fired. Thereafter, an accused wearing cap also fired when people on hearing the sound of firing came to save the informant and the accused fled away. It is further alleged that reason for the occurrence was that on



27.04.2025 two accused on a motorcycle were driving on a newly constructed road which was objected by the informant which had led to a fight.

4. Learned counsel for the petitioner submits that FIR was against unknown and the petitioner came to be implicated based on the confessional statement of apprehended accused in police custody which does not have any evidentiary value in the eye of law. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of assault is also not specific, though with regard to firing the informant has described the culprit.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner has antecedent of three cases and from the order impugned, it would manifest that the occurrence was captured in the CCTV. It is further submitted that there is no pleading in the anticipatory bail application which could even remotely suggest that petitioner was not present at the place of occurrence and investigation of the case is in its nascent stages and if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond.

6. Considering the submissions made by the learned



A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Rajgir P.S. Case No. 224 of 2025 pending in the Court of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif/Successor Court.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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