

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61112 of 2025

Arising Out of PS. Case No.-242 Year-2025 Thana- GAYA KOTWALI District- Gaya

1. Aditya Kumar S/o Sanjay Ram Resident of Muhallad Murli Hill, Domtoli Road, PS- Kotwali, Dist- Gaya
2. Sumit Kumar S/o Sanjay Ram Resident of Muhallad Murli Hill, Domtoli Road, PS- Kotwali, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Kotwali Police Station Case No. 242 of 2025, disclosing offences under Sections 190, 191(2), 191(3), 126(2), 115(2), 109, 352 of the Bhartiya Nyaya Sanhita and Section 27 of Arms Act.

3. The prosecution case, as per the First Information Report, is that on 17.05.2025 at about 09:30 P.M., the son of the informant had gone to Station Road where petitioner along with other accused persons assaulted his son by fist and slaps. Thereafter at 11:30 P.M., while the informant was sitting with



his family members, petitioner along with 8 to 10 unknown persons arrived at the house of the informant, started abusing and resorted to firing.

4. Learned counsel for the petitioners submits that petitioners are having no criminal antecedent and they have falsely been implicated in this case due to the fact that the petitioners, along with other accused persons, are auto drivers who used to carry boys and girls from school and the victim used to pass obnoxious remarks against the girls sitting in their auto and upon objection, the petitioners and other persons were made accused in the present case. Learned counsel submits that nobody has sustained firearm injury and the allegation of firing is general and omnibus in nature and no used cartridges have been recovered from the place of occurrence. He further submits that similarly situated co-accused persons have been granted anticipatory bail by this Court in Cr. Misc. No. 55297 of 2025 and Cr. Misc. 55391 of 2025

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that petitioner has no criminal antecedent, nobody has sustained firearm injury and similarly situated co-accused persons have been granted anticipatory bail by this



Court, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Kotwali Police Station Case No. 242 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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