

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72802 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- SAHAR District- Bhojpur

Nandu Kumar @ Nandu Rai S/O Aravind Rai Resident of Village- Perhap.
P.S. Sahar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-03-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on
behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 302, 448, 201, 447 of the Indian Penal Code read with Section 25(1-B)a, 26, 27 and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent, on which the learned counsel appearing on behalf of the informant submits that petitioner has been involved in Sahar P.S. Case No. 166 of 2024 dated 09.09.2024. The learned counsel for the informant next submits that the said Sahar P.S. Case No. 166



of 2024 was instituted by the wife of the informant of the present case alleging that the accused persons including the petitioner killed the informant of the present case.

4. The learned counsel for the petitioner, at this stage, submits that the informant alleges that named male accused persons entered his *Dalan* where he was sitting with his son and on account of previous enmity, the accused being agnates fired, on which the informant and his son fled in their house, thereafter, Priyanshu, Deepak and Sonu fired indiscriminately causing injury to his son, thereafter Diwakar, Vishnu, Suman, Parmatma, Nandu (petitioner) and Chhotak along with 3-4 unknown accused also fired at the informant and his son who was lying on the ground while the informant was watching the occurrence from the window, it is next alleged that his son was declared dead by the doctor and informant was referred to Dr. Vikash for better treatment.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case being agnate of the deceased. It is further submitted that even presuming what has been alleged to be true without admitting then specific allegation of firing is against Priyanshu, Deepak and Sonu. It is next submitted that the petitioner along with



others have been involved in the case with a general and omnibus allegation that they also fired indiscriminately after the son of the informant on receiving bullet injuries fell on the ground. It is next submitted that though it is alleged in the FIR that informant was also referred to Dr. Vikash for better treatment, but then the FIR does not even remotely suggest the nature of injury, the informant suffered.

6. Learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against the accused persons of committing murder of the son of the informant on account of dispute relating to property. It is further submitted that the informant of the present case was subsequently killed for which the aforesaid Sahar P.S. Case No. 166 of 2024 was instituted by his wife and in the said case the informant has alleged that the accused persons including the petitioner were instrumental in killing the deceased i.e. informant of the present case. It is thus submitted that two persons of the same family have been killed.

7. Considering the submissions made by the learned counsel appearing on behalf of the informant, the Court is not



inclined to extend the privilege of anticipatory bail to the petitioner.

8. Accordingly, the instant anticipatory bail application is rejected.

(Satyavrat Verma, J)

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