

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64662 of 2025**

Arising Out of PS. Case No.-104 Year-2025 Thana- MAHUA District- Vaishali

=====

Kunal Kumar S/o- Ravinder Kumar Ray @ Ravindra Rai R/o- A-291,  
Jahangir Puri, Adarsh Nagar PO- N.S. Mandi Dist- North West Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Shilpi Keshri

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      17-09-2025                      Learned counsel for the petitioner is permitted to  
  
make necessary correction in paragraph nos. 6 & 10 of the  
  
petition during course of the day.

2. Heard learned counsel for the petitioner and  
  
learned A.P.P. for the State.

3. The petitioner is apprehending his arrest in  
  
connection with Mahua P.S. Case No. 104/2025 registered for the  
  
offences punishable under Sections 191(2), 126(2), 115(2), 109  
  
of the B.N.S. and Section 27 of the Arms Act.

4. As per prosecution case, the informant narrated  
  
the story in two folds; one is regarding the occurrence of  
  
21.01.2025 in which the informant alleged that co-accused  
  
Saurabh Kumar, Raj Paswan and others came at the place of  
  
occurrence and co-accused Saurabh Kumar fired on the  
  
informant by pistol which hit the wall of Yugal Paswan and the



informant saved his life any how. During course of narrating the story of second fold, the informant reminded the occurrence of 20.01.2025 where he alleged that the petitioner and others came at the place of occurrence and on account of previous coaching dispute co-accused Saurabh Kumar and others are said to have assaulted the informant by means of fatti of bamboo on the head of the informant as a result of which he sustained head injury.

5. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner bears no criminal antecedent. He further submits that there is no specific allegation against the petitioner for the occurrence which had taken on 20.01.2025. He further submits that only allegation against the petitioner is that the petitioner is one of the accused for the occurrence of 20.01.2025 and the petitioner has falsely been implicated in this case on account of dispute in coaching. He further submits that from the perusal of FIR, it appears that the petitioner was not present at the place of occurrence on 21.01.2025. By virtue of allegation made on 21.01.2025, the petitioner is not in any way connected with the alleged occurrence. He further submits that the petitioner has neither used any fire arms nor any incriminating materials so in the light of aforesaid submission, Section 27 of the Arms Act is not made out against the petitioner.



6. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner as the petitioner's name is found in the FIR and the petitioner cannot be escaped from the liability of the allegation made in the FIR.

7. Considering the facts and circumstances of the case, there is no specific allegation against the petitioner, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-A.C.J.M.-IV, Vaishali at Hajipur in connection with Mahua P.S. Case No. 104/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.

8. The application stands allowed.

**(Alok Kumar Pandey, J)**

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