

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71607 of 2025

Arising Out of PS. Case No.-109 Year-2025 Thana- Amhara P.S. (I.I.T.A. Bihta) District-
Patna

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1. Gopal Yadav @ Gorakh @ Jay Kishore Kumar @ Gopal Kumar S/o Sri Mithlesh Yadav R/o Village - Dilawarpur, English Tola, P.S - IIT Amhara, District -Patna
 2. Munna Yadav @ Mithlesh Kumar Singh @ Munna Kumar S/o Sri Mithlesh Yadav R/o Village - Dilawarpur, English Tola, P.S - IIT Amhara, District -Patna
 3. Amar Kumar @ Amarnath Yadav S/o Jitendra Yadav R/o Village - Dilawarpur, English Tola, P.S - IIT Amhara, District -Patna
 4. Akhilesh Yadav @ Akhilesh Kumar Gandhi S/o Late Aangad Yadav @ Late Aangad Singh Yadav R/o Village - Dilawarpur, English Tola, P.S - IIT Amhara, District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Adv.
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP
For the Informant	:	Mr. Dharendra Nath Jha, Adv.
		Mr. Sunil Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-10-2025

1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in connection with IIT Amhara P.S. Case No. 109 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 324(4), 109, 352 and 351(2) of the BNS, 2023 read with Section 27 of the Arms Act.



3. Learned counsel for the petitioners submits that petitioner nos. 1, 2 and 4 have antecedent of three cases and petitioner no. 3 is a person with clean antecedent and the informant alleges that named accused persons including the petitioners came on 15.06.2025 at 09:00 AM and started demolishing the boundary wall constructed behind his house, on protest, accused abused him and Mithilesh gave orders to fire, on which Gopal fired causing firearm injury to the son of the informant namely Sunny on his neck, further Ram Kishun, Munna, Akhilesh, Amarnath and others fired indiscriminately and fled threatening.

4. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to boundary wall, the occurrence is alleged to have been committed. It is further submitted that no doubt petitioner no. 1 is alleged to have fired causing firearm injury on neck of the son of the informant on orders of petitioner no. 2, but then there is no specific allegation against petitioner nos. 3 and 4. It is reiterated and submitted that petitioner no. 3 is a person with clean antecedent. It is further submitted that even presuming what has been alleged is true without admitting, then the injury caused to the son of the



informant has been opined to be simple in nature.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners and submits that there is an allegation against Gopal of causing firearm injury to the son of the informant on his neck which is a vital part of the body, it is next submitted that no doubt injury has been opined to be simple, but then the same has been caused by firearm which is a dangerous weapon. It is also submitted that no doubt petitioner nos. 2, 3 and 4 are not alleged to have fired and the allegation that other accused fired indiscriminately while fleeing may be an exaggerated allegation, but then what is not in dispute rather stands admitted is that son of the informant received firearm injury and presence of the petitioners at the place of occurrence emboldened Gopal to commit the occurrence. It is submitted that had Gopal been alone at the place of occurrence perhaps he would not have gathered courage to commit the occurrence of firing. The learned APP for the State also submits that investigation in the case is continuing.

6. Considering the submissions made by the learned counsel appearing on behalf of the informant and the learned APP for the State, the Court is not inclined to extend the



privilege of anticipatory bail to the petitioners.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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