

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79841 of 2025

Arising Out of PS. Case No.-608 Year-2025 Thana- PHULWARISHARIF District- Patna

Chandan Kumar Son of Shambhu Sharma R/o Mahammadpur PS -Bikram
Distt -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajanan Mishra, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2025 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 329(3), 109, 118(2) 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 one case and the informant alleges that on 16.04.2025, at about 08:45 p.m., was watching TV when his sister came and informed that someone was banging the door, accordingly, he asked about the identity of the person when the accused fired three rounds and the first bullet hit his sister while the other bullet hit his leg. It is next alleged that firing was resorted to by Chandan Kumar (petitioner) and behind him was Banti Kumar standing with arm along with two



unknown accused, accordingly, the police was informed. Further, the sister of the informant is having dispute with Banti Kumar and the injured were admitted at AIIMS, Patna.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that it is alleged that sister of the informant was having dispute with Banti Kumar and Banti Kumar was also present at the place of occurrence standing with arms behind the petitioner. It is next submitted that sister of the informant is involved in the murder of her father-in-law and mother-in-law of the sister of the informant is own aunt of the petitioner, as such, he came to be implicated in the instant case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation in the FIR that the accused fired causing firearm injury to the informant and his sister on account of which they were admitted in AIIMS, Patna. It is further submitted that though Banti Kumar is alleged to be present at the place of occurrence with arms but then the informant does not allege that it was he who fired rather from the allegation it



manifests that it was petitioner who fired causing firearm injury to two persons, as such, it is not a fit case for grant of anticipatory bail.

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 Phulwari Sharif (Janipur) P.S. Case No. 608 of 2025 pending in the Court of learned Additional Chief Judicial Magistrate-IV, Patna/Successor Court.

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

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

