

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9396 of 2026

Arising Out of PS. Case No.-291 Year-2024 Thana- ROSERA District- Samastipur

Subhash Kumar Son of Ramesh Yadav Resident of Village- Sahiyar Burj,
P.S.- Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-03-2026 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Rosera Police Station Case No. 291 of 2024, disclosing offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 352, 351(2) of Bharatiya Nyaya Sanhita, 2023 and 27 of Arms Act.

3. The prosecution case, as per the First Information Report, is that on 26.11.2024, in the morning, while the informant and her husband were sitting at their home, the petitioner along with other accused persons arrived there and started abusing them. When the husband of the informant objected, they started firing from their pistols. The informant's husband tried to escape, but in the meantime, co-accused Kundan Kumar shot a bullet upon him, due to which he



sustained injury in his abdomen.

4. Learned counsel for the petitioner submits that from perusal of the FIR, it appears that the entire family members of the petitioner have been made accused. The allegation against the petitioner is general and omnibus in nature and the specific allegation of firing bullet upon the informant's husband is against co-accused Kundan Kumar. The petitioner is having no criminal antecedent and resides outside Bihar for the purpose of earning his livelihood. The other accused persons, i.e., the petitioner's father and two brothers, were arrested and the petitioner's father has been granted regular bail.

5. Regards being had to the submissions made by the parties and taking into consideration the fact that petitioner is having no criminal antecedent and the specific allegation of firing is upon the co-accused Kundan Kumar, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his 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 Additional Chief Judicial Magistrate-I,



Rosera, Samastipur having G.R. No. 1122 of 2024, in connection with Rosera Police Station Case No. 291 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita.

(Anil Kumar Sinha, J)

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