

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12426 of 2026

Arising Out of PS. Case No.-316 Year-2025 Thana- RAJAPAKAR District- Vaishali

Gopal Kumar S/o Umesh Rai @ Umesh Kumar Singh R/o Village - Bahuara,
P.S - Rajapakar (Baranti O.P), District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Choudhary

For the State : Mr. Narsingh Tanti

For the opposite party-2 : Mr. Umesh Kumar Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 01-05-2026 1. 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 Rajapakar Police Station Case No. 316 of 2025, dated 10.09.2025, disclosing offences under Sections 127(1)/115(2)/352/303(2)/109/3(5) of the Bhartiya Nyaya Sanhita and Sections 27 and 35 of the Arms Act.
3. That the prosecution case, on the basis of written report of informant, is that on 10.09.2025 at about 09:30 A.M., while the petitioner, along with two other accused person, were proceeded towards the village carrying bags suspected to contain liquor and as they reached near the orchard of Ram Naresh Rai, the informant's son, namely,



Vikki Kumar, along with his friends, who were present there and upon noticing, the informant's son used his mobile phone. The accused persons suspected that he was recording them and attempted to snatch his mobile, but on protest they left the place. It has further been alleged that after about half an hour, the petitioner, along co-accused Aryan Kumar and 6–7 unknown persons, armed with pistols, lathis, dandas, etc. returned to the spot, started abusing and assaulting the informant's son. It has also been alleged that the petitioner, along with two other accused persons, opened fire from pistol upon the informant's son causing him injury on the right knee and they also snatched mobile of the informant's son.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in the present case due to oblique motive. The allegation of firing from pistol is not specifically against the petitioner and the same is general and omnibus in nature. He further submits that similarly situated co-accused person, namely, Aryan Kumar @ Chunchun Kumar @ Aryan Roy, has been granted anticipatory bail by a Co-ordinate Bench of this



Court in Cr. Misc. No. 88041 of 2025. The petitioner has got no criminal antecedent.

5. On the other hand, learned for the informant opposes the prayer for bail and, referring to the impugned order, submits that paragraph no. 91 of the case diary, shows that fire-arm injury caused to informant's son on his right knee is grievous in nature. He next submits that there is direct allegation of firing against the petitioner.
6. I have heard learned counsel for the parties concerned and have gone through the materials available on record, including the impugned order.
7. From perusal of the FIR, it appears that there is direct allegation against the petitioner that he fired upon informant's son along with others. During course of investigation, as is evident from the impugned order, the witnesses have supported the prosecution story.
8. From perusal of order granting bail to co-accused, it appears that the Co-ordinate Bench has taken note of the fact that specific allegation of firing is against the petitioner. The parity claimed by the petitioner is not acceptable. Accordingly, I am not inclined to grant anticipatory bail to the petitioner.



9. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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