

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39570 of 2026

Arising Out of PS. Case No.-331 Year-2025 Thana- SILAO District- Nalanda

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Jyotish Kumar Son of Bhrigunandan Prasad Sharma @ Bhim Singh Resident
of village - Kariyanna, P.S.- Silao, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for the
offence punishable under section 109(1), 351(3), 352, 3(5) of
Bhartiya Nyaya Sanhita 2023, and 25(1-b)a 26,27,35 of the
Arms Act.

3. According to the prosecution, informant Lal Kumar
submitted a written petition to the S.H.O. of Silao P.S. alleging
that on November 10, 2025, at 7:00 PM, co-accused Nitish
Kumar and Jyotish Kumar (petitioner) arrived at his house
armed with weapons, started abusing and firing indiscriminately



with a pistol. Upon hearing the gunshots, the informant rushed toward the courtyard and witnessed Nitish Kumar, dressed in a white shirt and blue jeans, holding a gun. Although the family managed to hide but they heard subsequent gunfire . Later, prompting them to flee through the backyard toward a nearby bank where they discovered Nitish's car (registration number DL6034) parked with its engine running. Moments later, Nitish and Jyotish (petitioner) came from their own house and started firing again but when their attempt to escape in the vehicle failed, the informant immediately dialed 112, leading to the prompt arrival of the administration who recovered four live cartridges from the car as well as one empty shell near the house . Accordingly, the present case was lodged.

4. On perusal of record, it appears that at paragraph Nos. 4,9, 10 and 11 of the case diary , all the witnesses have supported the case of prosecution against this petitioner. At paragraph No. 57, police found the case to be true against this petitioner and during the same time four live cartridges were recovered from the car and one empty shell was also found near the house . Petitioner has got 5 criminal antecedents.

5. Considering the nature of accusation, recovery of arms and ammunition, materials available on record, criminal



antecedents of this petitioner and other circumstances of case,
prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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