

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40187 of 2026

Arising Out of PS. Case No.-190 Year-2025 Thana- PANDARAK District- Patna

Rishi Kumar Son of Chandramauli Yadav Resident of Village- Kondi, P.S.-
Pandarak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ashok Kumar Kashyap, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 28-07-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection with Pandarak P.S. Case No.190 of 2025 for allegedly having committed offences under Sections 191(3), 190, 61(2)(a), 109(1), 125, 126(2), 115(2) and 303(2) of the B.N.S. as well as Section 27 of the Arms Act.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that all the accused persons, including the petitioner herein came on a pick-up bearing Registration No.BR01GK-4549 and bike bearing Registration No.BR01EA-8007 and they started creating nuisance and disturbance during the cultural programme which was going on. When the informant and others



told them not to disturb, on the orders given by co-accused, Chandramauli Yadav, co-accused, Amarjeet Kumar @ China Ray, Kundan Ray and the petitioner took out pistol/Mauser and started firing. It is specifically alleged that the petitioner fired at Akash Kumar which hit him in his waist. It has further been alleged that other co-accused persons assaulted Amit Kumar with an iron rod on his head, due to which he sustained injuries and other accused persons were throwing brick and stone. When the mother of Akash Kumar reached at the place of occurrence, co-accused Subhash Kumar and Kundan Yadav assaulted on her neck with butt of the pistol and then snatched gold ornaments from her. It has further been alleged that while the injured persons were being taken to Sub-Divisional Hospital, Barh, again the accused persons assaulted the injured persons with stick and rod and also damaged the vehicle on which they were being taken.

4. The learned counsel for the petitioner submits that the petitioner is innocent and the allegations levelled in the First Information Report are highly improbable. He submits that although the occurrence took place on 28.10.2025, however the First Information Report has been lodged on 29.10.2025 and the present case is a counter blast of Pandarak P.S. Case No.192 of



2025 which was lodged by the petitioner, wherein the informant is an accused. He further submits that the allegations are general and omnibus and so far the allegation of firing on Amit Kumar is concerned, the same was on his leg. He further submits that the occurrence took place due to sudden provocation to see the cultural programme on the occasion of Durga Puja. The learned counsel for the petitioner submits that subsequently the informant gave an application before the concerned court that during the cultural programme who fired on stage it was not known to him since at the time of firing there was complete darkness. The learned counsel for the petitioner further submits that some of the co-accused persons have been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 08.04.2026 and 25.03.2026 passed in Criminal Miscellaneous No.19469 of 2026 and Criminal Miscellaneous No.15061 of 2026 respectively. He submits that the petitioner has got a clean antecedent.

5. Per contra, the learned A.P.P. for the State opposes the prayer for grant of anticipatory bail to the petitioner and submits that direct allegation of firing on the waist of Akash Kumar has been levelled against the petitioner and Akash Kumar has sustained grievous injuries.



6. Having considered the rival submissions and after going through the records, the case diary as well as the injury report, it would transpire that Akash Kumar is the alias name of Nandan Singh and from perusal of the injury report, which has been annexed with the case diary, it would transpire that the doctor has found gunshot injuries in the left pelvic region of the injured Nandan Singh @ Akash Kumar and has found the injuries to be grievous in nature.

7. Considering that the specific allegation of firing is alleged against the petitioner and the same is supported by the injury report, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner and accordingly, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Ritesh Kumar, J.)

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