

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41876 of 2026

Arising Out of PS. Case No.-168 Year-2026 Thana- GOPALPUR District- Patna

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Gaurav Kumar @ Gaurav Kumar Singh @ Gaurav Singh S/o Uday Singh R/o
Village - Bairiya Karnpura, Sampatchak, P.S - Gopalpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-06-2026 1. Heard learned Senior counsel for the petitioner, Mr. Rajendra Narain and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 109(1), 303(2), 3(5) of the Bhartiya Nyay Sanhita and 27 of the Arms Act.
3. Learned Senior counsel appearing on behalf of the petitioner submits that petitioner has antecedent of one case and the informant alleges that on 06.04.2026 at about 09:00 a.m. he along with sons Avinash and Amit and neighbour Jitendra had gone to inspect on going construction work were being carried out on his plot at Mouza Pahari, further at 10:00 a.m. when they were returning from the plot, accused Uday along with his sons Gaurav and Ujjwal and four unknown accused started



indiscriminate firing from a distance of 30 metres, causing firearm injury on thigh of informant and Jitendra suffered firearm injury on his stomach, while petitioner took away the motorcycle of Jitendra.

4. Learned Senior counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that though informant alleges that he received firearm injury along with Jitendra, but then does not specifically alleged who fired, it is next submitted that the case is to be appreciated in backdrop of a land dispute, it is next submitted that the land on which the petitioner claims to have gone for seeing the ongoing construction was purchased by Uday on 30.03.2026 in the name of his wife from Urmila Devi, as such, there was no occasion for the petitioner and his family members to indulge in such an occurrence when the land in dispute in the instance case was purchased in the name of his mother prior to the occurrence.

5. Learned A.P.P. for the State vehemently opposes the anticipatory bail application and submits that petitioner has antecedent of one case, it is next submitted no doubt specific allegation of firing is not alleged, but then what is not in dispute



rather stands admitted from the allegation and the injury report annexed with the anticipatory bail application is that two persons suffered firearm injury though the injury has been opined to be simple in nature, but then firearm is a dangerous weapon and since two persons have suffered fire arm injury and allegation is against the accused persons named in the FIR along with unknown accused of firing and investigation is continuing, as such, it is not a fit case for grant of anticipatory bail.

6. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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