

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45024 of 2026**

Arising Out of PS. Case No.-12 Year-2025 Thana- Araria Sangram District- Madhubani

Hem Kant Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA**  
**ORAL ORDER**

2      16-07-2026                      Heard learned counsel for the petitioner and the  
learned counsel for the State.

2. The petitioner seeks grant of anticipatory bail in connection with Arariya Sangram P.S. Case No. 12 of 2025 registered for the offences under Sections 115(2), 126(2), 109, 3(5) of B.N.S. and under Sections 25(1-b), a, 26, 27, and 35 of the Arms Act.

3. The case of prosecution, in short is that the informant, namely, Md. Obedullah was having tea at a shop, when a group of motorcycle-borne miscreants intercepted a bus near a petrol pump and started a dispute, local people tried to intervene, an altercation broke out, during which firing took place, resulting in gunshot injuries to two bystanders, namely Pintu and Md. Naim.



4. Learned counsel for the petitioner submits that the name of the petitioner transpired during the course of investigation in the confessional statement of co-accused Dipikaran Paswan before the police. He has drawn the attention of this Court toward the impugned order, wherein the learned court below in paragraph 6 has taken note of the confessional statement of the co-accused, in which it was stated that he, along with the petitioner and other co-accused persons, wanted to show power, and for that purpose, he made firing from pistol.

5. Learned counsel for the petitioner further submits that there is nothing even in the said confessional statement to suggest that the petitioner resorted to firing. It is further submitted that the petitioner is a man of clean antecedent, and two other co-accused persons have already been granted anticipatory bail.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

7. Having heard the rival submissions of the parties and considering the facts and circumstances of the case, particularly the clean antecedent of the petitioner and the fact that the allegation of firing is not directed against him but rests upon a co-accused, this Court is inclined to grant the privilege



of anticipatory bail to the petitioner.

8. Accordingly, let the petitioner above-named, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Jhanjharpur, District- Madhubani, subject to the conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS).

**(Ranjan Kumar Jha, J)**

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