

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40897 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- KHAGARIA District- Khagaria

1. Devendra Sharma @ Debu Sharma Son of Ramjatan Sharma @ Ramjatan Mahto Village -Shuja Tola Police Station- Mufasil District- Begusarai
2. Naresh Mahto @ Naresh Mo @ Naresh Sharma son of Late Ramsagar Mahto @ Late Sagar Sharma village- Maida Babhangawan, Ps- Birpur, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 47620 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- KHAGARIA District- Khagaria

Rajiv Kumar @ Rajiv Sharma S/O Vidya Sagar Sharma R/O Village- Maida Babhangawan, Police Station- Birpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40897 of 2025)

For the Petitioner/s : Ms.Anjana, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 47620 of 2025)

For the Petitioner/s : Ms.Anjana, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 17-02-2026

Ref:- Cr. Misc. No. 40897/2025

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

2. The petitioners apprehend arrest in connection
with Khagaria P.S. Case No. 11 of 2025 instituted under



Sections 126(2), 109, 61(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, three accused persons including petitioner no. 1 are alleged to have shot at Krishna Kumar @ Kaso Kumar indiscriminately.

4. Learned counsel for the petitioners submits that the petitioners have not killed anyone. Petitioners have clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners on the ground that the they murdered the victim by firing at him.

6. Considering the allegations levelled against petitioner no. 1, this is not a fit case for grant of anticipatory bail.

7. Accordingly, the application stands dismissed with respect to petitioner no. 1 only.

8. The petitioner no. 1 is directed to surrender within four weeks from today and pray for regular bail, failing which the Superintendent of Police, Khagaria will take all steps for arrest of the petitioner.

9. So far as petitioner no. 2 is concerned, there is general and omnibus allegations levelled against him.



10. Let the petitioner no. 2, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Khagaria/ concerned Court below in connection with Khagaria P.S. Case No. 11 of 2025, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

Ref:- Cr. Misc. No. 47620 of 2025

11. Heard learned counsel for the petitioner and learned A.P.P. for the State.

12. The petitioner apprehends arrest in connection with Khagaria P.S. Case No. 11 of 2025 instituted under Sections 126(2), 109, 61(2) and 3(5) of the Bharatiya Nyaya Sanhita.

13. As per the prosecution case, three accused persons including petitioner are alleged to have shot at Krishna Kumar @ Kaso Kumar indiscriminately.

14. Learned counsel for the petitioner submits that the petitioner had not assaulted anyone. Petitioner has one criminal antecedent.



15. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner on the ground that the he murdered the victim by firing at him.

16. Considering the allegations levelled against petitioner, this is not a fit case for grant of anticipatory bail.

17. Accordingly, the application stands dismissed.

18. The petitioner is directed to surrender within four weeks from today and pray for regular bail, failing which the Superintendent of Police, Khagaria will take all steps for arrest of the petitioner.

19. Let a copy of this order be communicated to the Superintendent of Police, Khagaria through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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