IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70396 of 2026

CNR No. BRHC011005182026

Arising Out of PS. Case No.-744 Year-2026 Thana- AHIYAPUR District- Muzaffarpur

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Navneet Kumar Niraj S/O Ram Ekbal Ray Resident of village -A.B.B.L. College Jhitkahiya, Ward No. 2, P.S.- Brahmpura M.I.T., Distt.- Muzaffarpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the State : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

3 30-10-2026 Heard learned counsel for the petitioner, learned counsel for the State as well as learned counsel appearing on behalf of the informant.

2. The petitioner seeking anticipatory bail in connection with Ahiyapur P.S. Case No. 744 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2), 351(3) and ¾ of the BNS and Section 27 of the Arms Act.

3. As per the allegation, the informant alleges that she along with her *bhabhi* were coming back home on a *toto,* when two unknown accused intercepted the *toto* and one accused said

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that you have not withdrawn the case against Shamshad, hence die and pointed a gun towards her, in the scuffle gun fired and the informant received injury on her shoulder, it is next alleged that she was in a relationship with Shamshad who got her aborted 4-5 times and finally resiled from marriage, thus, a criminal case was instituted in 2026. Further, it is alleged that this petitioner along with co-accused Navin, who happens to be friends of co-accused Shamshad. and Sarfraj, who happens to be the brother of co-accused Shamshad, used to threaten her to withdraw the case else to face dire consequences. It has further been submitted that co-accused Shamshad has taken Rs. 10 lakhs for getting her appointed in a school, but the amount was misappropriated.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant being brother of the co-accused Md. Shamshad. It has next been submitted that from perusal of the allegation as alleged in the FIR, it would be clear that the petitioner was not present at the place of occurrence and he came to be implicated based on suspicion that he might be involved with the co-accused Shamshad, Navneet and Navin. It has further been submitted that thrust of entire allegation is against the co-

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accused Md. Shamshad since the informant was in a relationship with Shamshad and when the relationship soured, his friends and family members have been implicated in this case.

5. Learned counsel for the State as well as learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner.

6. Learned counsel for the informant has submitted that the prayer for anticipatory bail of similarly situated co-accused Sarfraj Shekh @ Mohammad Sarafaraz Alam has been rejected by a coordinate Bench of this Court by order dated 28.09.2026 passed in Cr. Misc. No. 66865 of 2026. Learned counsel appearing on behalf of the informant has further submitted that the injured informant suffered four gun shot injuries and the petitioner along with the co-accused Sarfraj and Navin had threatened the informant for withdrawing the earlier criminal case.

6. Heard the parties and perused the records.

7. Considering the facts and circumstances as well as the fact that the prayer for anticipatory bail of similarly situated co-accused Sarfraj Shekh @ Mohammad Sarafaraz Alam has been rejected by a coordinate Bench of this Court, the prayer for anticipatory bail of the petitioner stands rejected.

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8. This application is accordingly dismissed.

(Praveen Kumar, J)

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