

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78059 of 2025

Arising Out of PS. Case No.-168 Year-2025 Thana- NAGARNAUSA District- Nalanda

1. Sashi Kumar @ Sashibhushan Kumar S/O Ashok Paswan R/O Village- Goraipur, P.S.- Nagarnausa, District- Nalanda, Bihar
2. Vijay Paswan S/O Vinay Paswan R/O Village- Goraipur, P.S.- Nagarnausa, District- Nalanda, Bihar
3. Ajay Paswan S/O Banke Paswan R/O Village- Goraipur, P.S.- Nagarnausa, District- Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Apurv Harsh, Adv.

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-01-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Nagarnausa P.S. Case No. 168 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(2), 117(2), 109(1), 352, 351(3) and 103 of the BNS, 2023 read with Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case, petitioner no. 2 is a person with clean antecedent and petitioner no. 3 has antecedent of two cases and the informant alleges that on 07.07.2025 at



08:00 AM, she heard that accused persons including the petitioners are assaulting her brother Chandu, accordingly, she reached the place of occurrence and saw Raju, Pappu, Amarjeet, Sujit, Ashok, Ajay and Vijay were assaulting her brother when she tried to intervene to save him, accused Raj Kumar fired causing firearm injury on her thigh, accordingly she was taken to hospital where her *fardbayan* was recorded.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that even presuming what has been alleged is true without admitting then specific allegation of firing is against Raj Kumar and petitioners are not alleged to have fired causing firearm injury to the informant rather it is alleged that the accused persons including the petitioners were assaulting her brother Chandu, but then allegation of assault is also not specific rather is general and omnibus in nature.

5. Learned A.P.P. for the State vehemently opposes the anticipatory bail application and submits that no doubt petitioners are not alleged to have fired causing firearm injury to the informant, but then informant, a minor aged about 15 years, died during the course of treatment after 20 days of the



occurrence. It is further submitted that the presence of the accused persons including the petitioners at the place of occurrence emboldened Raj Kumar to commit the occurrence of firing causing firearm injury to the informant leading to her death subsequently. It is next submitted that investigation of the case is in its nascent stages and if privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond, as petitioner nos. 1 and 3 have criminal antecedent even.

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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