

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.737 of 2026

Arising Out of PS. Case No.-52 Year-2022 Thana- PARWALPUR District- Nalanda

Nagendra Kumar @ Nagendra Sharma @ Gonu Singh S/o- Panchanand Singh
@ Panchanand Sharma R/v- Alawan PS - Parwalpur Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Sri Rama Kant Sharma, Sr. Advocate Sri Lovekush Kumar, Advocate
For the Opposite Party/s :	Sri Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-04-2026

1. Heard Sri Rama Kant Sharma, learned Senior Counsel for the petitioner, Sri Chandra Bhushan Prasad, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 302 and 120(B) of the Indian Penal Code as well as Section 27 of the Arms Act.

3. Learned Senior Counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that on 19.03.2022, at 12:30 p.m., 18 named accused persons including the petitioner came and started abusing for the reason that day before the accused persons had assaulted them on account of which named persons in the FIR were injured and



had threatend that they will not allow the informant's side to celebrate holi. It is further alleged that accused persons started firing on account of which the wife of the informant, namely, Renu Devi received firearm injury on her chest and back leading to her death while Pushpa Devi received firearm injury on her waist and Rajendra was shot in the stomach. Further, Divesh, son of Late Karu Sharma shot Renu, another Divesh, son of Kaushlendra Kumar shot Pushpa and Nagendra (petitioner) shot Rajendra and the injured were taken to the hospital.

4. Learned Senior counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that no doubt, in the FIR, the informant alleges that petitioner shot Rajendra but then during the course of investigation, it transpired that petitioner was not involved in the occurrence. It is next submitted that petitioner is a government teacher and since he is an earning member of the family, hence, he came to be implicated only with a view to coerce the family into submission. It is fairly submitted that Rajendra, during the course of investigation, did take the name of the petitioner as one who fired but then the police, after threadbare investigation, came to a considered conclusion that petitioner is innocent and, thus, submitted final



form exonerating the petitioner of the allegation. It is also submitted that when one investigating agency, after threadbare investigation, came to a considered conclusion that petitioner is innocent, whether it would be prudent for the Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegation alleged in the FIR during the course of investigation. It is further submitted that petitioner is a government teacher and is well aware of the consequences which would entail in the event if he is involved in such an occurrence. It is next submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the trial to prove his innocence. It is also submitted that petitioner will not delay the trial in any manner.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submissions of the learned Senior Counsel appearing on behalf of the petitioner that the police, after threadbare investigation, came to be a considered that petitioner was not involved in the occurrence and, thus, submitted final form.



6. After hearing the learned counsel for the parties, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Parwalpur P.S. Case No. 52 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that if the learned Trial Court comes to a conclusion that petitioner, after his release on anticipatory bail, is trying to delay the framing of charge or after framing of charge is trying to delay the trial of the case in any manner, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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