

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56673 of 2024

Arising Out of PS. Case No.-418 Year-2020 Thana- BIDUPUR District- Vaishali

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Birendra Prasad Singh @ Birendra Singh S/o Late Dina Singh R/o vill -
Basantpur, Kakarhatta, P.S. - Bidupur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

Mr. Ranjeet Kumar Thakur, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2024 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 302 of the IPC and Section 27 of the Arms Act in connection with Bidupur P.S. Case No.418 of 2020.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 05.10.2020 all the accused persons including the petitioner along with 4-5 unknown accused came variously armed at his house and it is alleged that petitioner assaulted his son by a sharp edged Gupti in the stomach, causing injury while Chandradeo Singh opened fire and thereafter other co-accused



also assaulted the informant's son leading to his death.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that for the same occurrence another FIR has been instituted and the allegation as alleged in the other FIR is different from the allegations as alleged in the instant FIR. It is thus submitted that when for the same occurrence two FIRs have been instituted giving two different version of the occurrence, whether it would be prudent to this Court to send the petitioner to jail.

5. The learned counsel appearing on behalf of the informant opposes the anticipatory bail application of the petitioner and submits that the instant FIR has been instituted by the father of the deceased and he has categorically made a specific allegation against this petitioner of assaulting his son by a sharp edged Gupti in the stomach causing injury leading to his death subsequently. It is thus submitted that no father would try to implicate someone who is not involved in the occurrence of murder of his son. It is also submitted that investigation in the case is still continuing.

6. Considering the submissions made by the learned counsel appearing on behalf of the informant, the Court is not



inclined to extend the privilege of anticipatory bail to the petitioner, accordingly, the anticipatory bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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