

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6491 of 2025

Arising Out of PS. Case No.-117 Year-2024 Thana- BIHIA District- Bhojpur

Abhishek Singh @ Abhishek Kumar Singh S/o Anil Singh R/o village -
Chamarpur , P.s.- Shahpur, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner who apprehends arrest in connection with Bihiya P.S. Case No. 117/2024 lodged on 16.04.2024, for the offences punishable under sections 341, 307, 435, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution, the F.I.R. has been lodged against two named accused persons, including the petitioner. It is alleged that the petitioner fired a gunshot at the informant, hitting the left side of his waist and causing injury. Thereafter, the petitioner allegedly sprinkled petrol on the informant's motorcycle and set it on fire by shooting at it, resulting in its



complete destruction.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He contends that although the petitioner alleged to have fired at the informant and set his motorcycle ablaze, the petitioner has been falsely implicated due to political rivalry, as the petitioner's mother is the elected *Mukhiya* of the local Panchayat. It is further submitted that the informant is a dreaded person in the locality, against whom several complaints exist. In support of this contention, the petitioner has annexed Annexure-3, which is a press release issued by the Office of the Superintendent of Police, Bhojpur at Ara. The press release lists the informant as an absconder, with a reward of ₹50,000/- announced for his arrest. Learned counsel further argues that the informant is so feared that no one would dare to act against him, either directly or indirectly. He submits that the case diary has been called for, and entries in paragraphs 62 to 66 indicate, based on statements of independent witnesses, that the petitioner appears to be a victim in this case. It is also pointed out that the petitioner had previously lodged Shahpur (Bahoranpur) P.S. Case No. 444/2022, dated 17.12.2022, against the informant's brother, under Sections 341, 323, 307, 384, 379, and 504/34 of the



Indian Penal Code. The petitioner undertakes to comply with any condition that may be imposed by this Hon'ble Court.

5. Learned APP for the State opposes the prayer for bail. However, upon perusal of the case diary and Annexure-3, he submits that the informant has indeed been declared an absconder by the District Police, and a reward of ₹50,000/- has been announced for his apprehension. He further submits that entries in paragraphs 62 to 66 of the case diary support the petitioner's claim of being a victim, and that the earlier case filed by the petitioner against the informant's brother lends weight to the defence.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the learned ACJM V, Ara, Bhojpur, in connection with Bihiya P.S. Case No. 117/2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

7. However, the trial court is directed to verify the fact that the petitioner is not absconding in Shahpur P.S. Case No.



114/2016, as mentioned in paragraph no. 3 of the petition, at the
time of accepting the bail bonds of the petitioner.

(Dr. Anshuman, J)

Ashwini/-

U		T	
---	--	---	--

