

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13626 of 2025

Arising Out of PS. Case No.-420 Year-2024 Thana- DIGHA District- Patna

Birendra @ Bijender @ Billa, Son of Bali Ram Ray, Resident of Ramjichak,
School Gali, P.S. - Digha, District – Patna Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roshan Kumar, Adv.
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-03-2025 Heard Roshan Kumar, learned counsel for the
petitioner and Mr. Dashrath Mehta, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Digha P.S. Case No. 420 of 2024 registered for the offences punishable under sections 61, 103 and 109 of the Bharatiya Nyaya Sanhita and sections 25(1b)a, 26, 27 and 35 of the Arms Act.

3. As per the prosecution story, the informant alleged that her brother-in-law(*Bhaisur*) and his driver were shot by three FIR named persons due to which the driver succumbed to his injuries. It is further alleged that Shilpi Mahto in connivance with her brother-in-law (devar) Suraj Mahto conspired the alleged occurrence.

4. The main submissions advanced by learned counsel appearing for the petitioner are that against the



petitioner, there is criminal antecedent of one case, in which he is on bail and the petitioner is named in the FIR but against him, there is no specific allegation of having shot the deceased Vikash Kumar and the informant has got the FIR fabricated in collusion with the police and the petitioner has been falsely roped in the present matter.

5. On the other hand, learned APP appearing for the State has vehemently opposed the prayer of the petitioner and submits that there is serious allegation against the petitioner.

6. Heard both the sides and perused the FIR. The instant matter relates to serious offence of murder and attempt to murder in which firearms were used and the petitioner is named in the FIR and against him there is specific allegation of having caused firearm injury to the driver of the informant's brother-in-law (*Bhaisur*), resulting in death of the injured and the informant claimed to have seen the commission of the alleged occurrence and there is one criminal antecedent of the petitioner also, in my opinion, it is not a fit case for the grant of anticipatory bail to the petitioner. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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