

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32884 of 2025

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

Birendra Prasad Singh @ Birendra Singh S/o Late Dina Singh R/o Village-
Basantpur, Kakarhata, P.S.- BIdujpur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.

Mr. Karu Kumar, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 22-08-2025 1. Heard learned counsel for the petitioner and learned A.P.P. for the State along with learned counsel appearing on behalf of the informant.
2. The petitioner seeks bail in connection with Bidupur P.S. Case No.418/2020, registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 302 of the Indian Penal Code & Section 27 of the Arms Act.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and was aged about 72 years when the occurrence is alleged to have taken place. It is next submitted that petitioner all through out his life remained a person with clean antecedent and all of a sudden was made criminal when he came to be implicated in the instant case with



an allegation that he assaulted the son of the informant by *Gupti* causing injury in the stomach. It is further submitted that from perusal of the allegation, as alleged in the F.I.R., it would manifest that the same does not inspire confidence, for the reason that informant has tried to implicate more than 10 persons in the case, alleging different allegations against them. It is also submitted that though in the F.I.R. it is alleged that petitioner assaulted the son of the informant by *Gupti* causing injury in his stomach, based on which, he fell on the ground and thereafter Chandradev Kumar Singh started indiscriminate firing but his son managed to save the bullets, and thereafter, other accused persons came, who again assaulted him, whereafter some villagers came to save the victim but they were also assaulted.

4. The learned counsel submits that initially when the case was investigated, the police came to a considered conclusion that petitioner is innocent and has recommended for submitting final form, exonerating the petitioner of the allegation, as would manifest from Para-63, 67, 70, 71 and 86 of the supplementary case diary. It is next submitted that all of a sudden, the case was found true against the petitioner. It is also submitted that the persons, who received injury from the side of



the informant, when they came to save his son, their statement was also recorded during course of investigation at Para-73 and 74 of the case diary, wherein they have not named this petitioner of having participated in the occurrence. It is also submitted that the F.I.R. does not assign any reason/motive for the occurrence except that the occurrence took place on account of dispute relating to children. It is submitted that the victim was involved in acting inappropriately with a girl which led to an occurrence where the villagers assaulted him.

4. Learned A.P.P. and the learned counsel appearing on behalf of the informant opposes the prayer for bail of the petitioner.

5. Considering the submissions, the Court for the present is not inclined to release the petitioner on bail.

6. The bail application of the petitioner is rejected. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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