

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50306 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- DORIGANJ District- Saran

1. Pappu Rai @ Pappu Kumar Rai Son of Sethi Rai R/O Village - Balwan Tola, P.S.- Doriganj, District - Saran.
2. Bhikham Rai Son of Bhuvan Rai R/O Village - Balwan Tola, P.S.- Doriganj, District - Saran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Adv.
For the State	:	Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 10-11-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Doriganj P.S. Case No. 241 of 2024 registered for the offences punishable under Sections 191(2), 191(3), 190, 109 of BNS and Section 27 of the Arms Act.

3. As per prosecution case, on 27.09.2024 the informant was going to the house of her uncle, meanwhile, firing started from the roof of Bhikham Rai (petitioner no. 2) which hit the abdomen of the informant. Thereafter, the informant heard the sound of firing from many places. Due to night, the informant and her family members hid in the house



and her family members informed the police. Thereafter, the police came and took the informant to hospital. It is further alleged that later on, informant came to know that informant's co-villagers had gone to village Raipur Bindgawan to collect ration where some dispute arose due to which the people of Raipur Bindgawan blocked the passage. Informant further states that, she learnt from her family members and villagers that Bhikham Rai (petitioner no. 2), Pappu Rai (petitioner no. 1), Amir Rai, Gopal Rai, Mantu Rai, Dharmendra Rai, Tuntun Rai and Rahul Rai, are the persons who made firing in the previous night due to which informant sustained injury.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioner no. 1 bears criminal antecedent of one case in which he is on bail, as orally submitted. Petitioner no. 2 bears criminal antecedent of two cases, out of which in one case i.e. Saran Excise Case No. 164 of 2018 he is on bail, as orally submitted. He further submits that for one occurrence, three FIR's have been lodged and the police has lodged the FIR prior to lodging of the present case, which is at Annexure-2 of the petition, in which the name of petitioner no. 1 is not mentioned.



He further submits that present case is nothing but counter version of Doriganj P.S. Case No. 243 of 2024 lodged by petitioner no. 2 against the informant's side. There is no specific allegation of firing against any of the petitioners. Moreover, the injury report of the informant is not in consonance with the allegation levelled in the FIR, inasmuch as informant has not sustained any firearm injury. In the light of aforesaid facts and circumstances of the case, no offence, as alleged in the FIR, is made out against the petitioners.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that petitioners are named in the FIR and they cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, there is no specific allegation of firing against any of the petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional



Chief Judicial Magistrate-8, Chhapra, Saran in connection with
Doriganj P.S. Case No. 241 of 2024, subject to the conditions as
laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

shahzad/-

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

