

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63765 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- MANPUR District- Nalanda

Biresh Mahto @ Balram Prasad S/o Awadh Kishor Mahto R/o Vill- Bhojpur,
PS- Manpur, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 22-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks anticipatory bail in connection with Manpur P.S. Case No. 77 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 127(2), 115(2), 109 of BNS and Section 27 of the Arms Act.

3. As per prosecution case, there is allegation against the petitioner that on 24.04.2025 he was loading sand on a tractor. When the informant's mother-in-law objected, the petitioner fired from his pistol which hit the informant's mother-in-law, as a result of which she fell down. Thereafter, the villagers came and took the informant's mother-in-law to her house. Police was informed about the occurrence and police



took the informant's mother-in-law for treatment to Sadar Hospital, Bihar Sharif.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the FIR and petitioner has falsely been implicated in the present case. There is case and counter case between both the parties lodged on the same date and same time and in order to save the husband of informant, the present informant has filed the case against the petitioner. Learned counsel for the petitioner has set the ground of defence that he is paralyzed since 2017 and he is not in a position to walk. So, there is no question of firing by him. Apart from that, petitioner is having criminal antecedents of four cases out of which in Asthawan P.S. Case No. 61 of 2012 he stands acquitted and in rest three cases, he is already in bail.

5. The learned A.P.P. for the State vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that there is specific allegation of firing against the petitioner who is said to have fired from his pistol and the impugned order clearly reveals that the injury report supports that there is a fire-arm injury upon the body of the victim. He, therefore, submits that the petitioner does not deserve



anticipatory bail.

6. Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with criminal history, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Alok Kumar Pandey, J)

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