

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87882 of 2025

Arising Out of PS. Case No.-441 Year-2025 Thana- DARIYAPUR District- Saran

Ashok Pandey Son of Kamla pandey Resident of Village - Bisahi, Police
Station - Dariyapur, District - Saran, Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Ms. Mili Kumari, Advocate Mr. Aashi Wats, Advocate
For the State	:	Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-12-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 103(1), 109, 61(2), 111 and 3(5) of the B.N.S..

3. As per prosecution case, on 13.07.2025 at about 9:15 AM, when informant along with his cousin brother, namely Santosh Ray, was going to his house, in the meantime, two miscreants, riding on a motorcycle, came from behind, overtook informant's vehicle and indiscriminately fired due to which informant and his brother sustained gun shot injuries and during course of treatment, brother of informant died. It is alleged that some days prior to the occurrence, all the F.I.R. named accused



persons, including this petitioner, had threatened brother of informant of dire consequences and informant believes that all the accused persons, in a planned conspiracy, committed the murder of his brother.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that petitioner, along with other F.I.R. named accused persons, is only alleged to be the conspirator. During investigation, no material has come to suggest that this petitioner is one of the assailant of the deceased. Petitioner has falsely been implicated in this case due to prior dispute.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that he, along with other F.I.R. named accused persons, in a planned conspiracy, committed murder of brother of informant. Petitioner has got eight criminal antecedents, some of which are of similar nature.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence and criminal antecedents of the petitioner, the prayer for grant of



anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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