

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16073 of 2026

Arising Out of PS. Case No.-105 Year-2024 Thana- BITHAN District- Samastipur

Md. Akram @ Heera @ Akram @ Heera Bhai Son of Wagir R/o Village -
Manorwa Khaira, Ward no. 12, P.S. - Bithan, Dist. - Samastipur at present
Jhugi Jhopadi, Sector - 4, Noida, P.S. and Dist. - Gautam Budh Nagar(U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 24-06-2026 Heard the learned Advocate for the petitioner and the

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Bithan P.S. Case No. 105 of 2024, registered for the
offences punishable under Sections 126(2), 115(2), 118(1),
117(2), 109, 352, 351(2), 351(3) and 3(5) of the B.N.S. and
Section 27 of the Arms Act.

3. Allegedly, on the given date and time of the
occurrence, while the informant was going to his house, in the
meanwhile, one *Pulsar* motorcycle overtook him and started
abusing. It is further alleged that the informant identified the
petitioner, who has indiscriminately fired upon him, due to



which he sustained one firearm injury in his right hand. The another bullet hit on his motorcycle.

4. Learned Advocate for the petitioner submitted that the present case is nothing but an offshoot of long standing enmity. To support the aforesaid contention, it is further urged that earlier the petitioner had filed Bithan P.S. Case No. 19 of 2022 against the informant and others, in which the petitioner had received firearm injury. The petitioner is said to have been living in Noida (U.P.), where he is doing private job for his livelihood and on the alleged date of occurrence, he was not even present. During the course of investigation, independent witnesses have also stated that the informant was pressurizing the petitioner for settlement of the earlier dispute, but since the petitioner was not ready for the same, it is every likelihood that he has been trapped in a false and concocted case. It is lastly contended that the petitioner bears fair antecedent, apart from the fact that there is delay in lodging of the FIR.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that on account of the firing made by the petitioner, the informant has sustained grievous injury and, as such, in no circumstances, the petitioner deserves the privilege of anticipatory bail.



6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the specific accusation of firing upon the petitioner, which led to grievous injury and duly supported by the medical evidence, this Court is not persuaded to accept the prayer for anticipatory bail of the petitioner. Accordingly, the same stands rejected.

7. However, if the petitioner surrenders and pray for regular bail, his prayer for bail shall be considered without being prejudice by the order of this Court.

(Harish Kumar, J)

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