

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12428 of 2026

Arising Out of PS. Case No.-126 Year-2013 Thana- DIGHA District- Patna

Bhuar Rai S/o Rama Rai R/o vill - Nakta Diara, P.S.- Digha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Digha P.S. Case No. 126 of 2013 lodged on 08.06.2013, for the offence punishable under Sections 147, 148, 149 & 302 of the Indian Penal Code and section 27 of the Arms Act, pending in the Court of C.J.M. Patna.

3. As per the prosecution, FIR has been lodged against seven named accused persons including the present petitioner. It has been alleged in the FIR that the accused persons have killed the informant's son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner has been made accused in this case



unnecessarily. The petitioner was working in Punjab since 2010, and he was completely unaware about the fact that criminal case has been filed against him. Counsel submits that when he returned back to his house, then only he became aware about the criminal case and then he started persuading for this case. Counsel further submits that the petitioner has clean antecedent and one of the accused person has been acquitted after completion of trial. Counsel further submits that other accused persons have been granted bail by the Co-ordinate Bench of this Court *vide* orders dated 13.01.2014, 03.11.2014, 10.07.2015 & 19.01.2016 passed in Cr. Misc. Nos. 41700 of 2013, Cr. Misc. No. 25386 of 2014, Cr. Misc. No. 15529 of 2015 & Cr. Misc. No. 48323 of 2015 with Cr. Misc. No. 50845 of 2015 respectively.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the present FIR is of the year 2013 and after 13 years, the petitioner has moved for anticipatory bail.

6. Upon the specific query of this Court that whether any document or pleading made that the petitioner is working in Punjab since 2010, counsel for the petitioner submits that no such pleading or document is available with the petitioner.



7. In the present facts and circumstances of this case considering that the present FIR is of the year 2013 and currently, 2026 is going on and petitioner is also named in the FIR, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

8. However, if petitioner surrenders before the concerned Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day considering the documents available on record, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court. The Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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