

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25627 of 2026

Arising Out of PS. Case No.-39 Year-2017 Thana- BAKHTIYARPUR District- Patna

Balram Singh S/O Munarik Singh R/O village - Chakdaulat, P.S-
Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 30-04-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in
connection with Bakhtiyarpur P.S. Case no. 39 of 2017
registered under Sections 147, 148, 149, 341, 323, 324 of the
IPC and Section 27 of the Arms Act.

3. Due to land dispute, on 17.01.2017, when the
informant was going on his motorcycle, petitioner along with
other FIR named accused persons assaulted the informant and
petitioner fired a gunshot at the informant causing injury,
thereafter, co-accused Parshuram Singh also fired upon
informant but he saved himself. Co-accused Nankhu Singh
gave an axe blow on the head of the informant and the accused
persons took away the informant's mobile phone, gold chain and



Rs. 3,000/- from the informant.

4. Learned counsel for the petitioner submits that the petitioner has been made an accused in a case under Section 324 of the IPC and Section 27 of the Arms Act with the allegation of opening fire on the informant along with another co-accused Parshuram Singh. Further, it is nowhere stated in the FIR that the informant received any fire arm injury rather it is stated that when he tried to flee away it was Nankhu Singh who inflicted with the blow of axe on his head causing injury to him. In the bail rejection order also there is no mention of the informant having suffered any fire arm injury. Further submission is that no empty cartridges has been recovered from the place of occurrence and the FIR is also lodged after a delay of 6 days.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the delay in lodging of F.I.R coupled with the fact that the informant has no fire arm injury, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bakhtiyarpur



P.S. Case no. 39 of 2017 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Court concerned where
the case is pending/Successor Court, subject to the condition
laid down under Section 438(2) of the Code of Criminal
Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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