

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40124 of 2026

Arising Out of PS. Case No.-244 Year-2025 Thana- BARGAINIA District- Sitamarhi

Dilip Kumar S/O Feku Mahto R/O village- Ranjitpur Shivnagar @ Shivnagar
@ Riga Tole Shivnagar, P.S.- Riga, Dist.- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Bairganiya P.S. Case No. 244 of 2025 registered for the offences punishable under Sections 126, 109, 61(2)(a) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 25(1-b)a, 26, 27 of the Arms Act.

3. As per FIR, petitioner alleged to open fire on the head of the informant who is none but the maternal uncle of the petitioner. The alleged firing caused bullet injury on the head of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that informant is the maternal uncle of this petitioner



who was earlier working in the garage of the informant and after sometime when he decided to open his own garage in same locality, out of business rivalry, the petitioner was implicated falsely in the present crime in question. Petitioner claimed clean antecedent.

5. Learned A.P.P. for the State, while opposing the prayer for anticipatory bail of the petitioner, submitted that allegation as to open fire upon the informant, which caused bullet injury on his head, is specifically available against this petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as allegation *qua* firing hitting to the head of the informant is specifically available against this petitioner, accordingly, prayer of anticipatory bail of the petitioner stands rejected.

7. If the petitioner surrenders before the learned trial court and prays for regular bail, the learned trial court may dispose the petition expeditiously in accordance with law.

(Chandra Shekhar Jha, J)

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