

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86261 of 2025

Arising Out of PS. Case No.-240 Year-2024 Thana- DORIGANJ District- Saran

Bhikham Rai @ Bhikhan Rai S/o Bhuvan Rai R/o Village - Balwan Tola,
Police station - Doriganj, District - Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 109 and 132 of B.N.S., 2023 as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedents of three cases and the informant alleges that on 27.09.2024 at 09:00 p.m., he heard an information regarding dispute in between two rival groups and the groups in order to establish supremacy were resorting to firing and a woman suffered gunshot injury, namely, Rajani Kumari. Accordingly, the informant proceeded towards the place of occurrence and heard sound of firing coming from



different directions. Further, from the place of occurrence and on the way also, the informant found several empty cartridges and Rajani Kumari was sent to hospital. Accordingly, the FIR was instituted against 29 named accused persons along with 40-50 unknown accused.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that no doubt, petitioner has antecedents of three cases but then one case is with respect to the same occurrence for which the instant FIR has been instituted, other case is under the Excise Act and one case has been instituted under Section 307 read with other sections of the Indian Penal Code. It is next submitted that from perusal of the allegations, as alleged in the FIR, it would manifest that allegations are general and omnibus in nature. It is also submitted that the informant has also not seen the occurrence but then based on secret information and disclosure made by the villagers, the names of the accused persons were recorded in the FIR. It is further submitted that even statement of Rajani Kumari was recorded but the same, more or less, is in the same terms in which the instant FIR has been recorded. It is next submitted that petitioner was granted the privilege of



anticipatory bail in the second FIR, which was instituted for the instant occurrence as would manifest from Annexure-3 to the anticipatory bail application. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, let petitioner, above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Doriganj P.S. Case No.240 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. It is made clear that one of the bailors shall be the father of the petitioner, namely, Bhuvan Rai.

8. It is also made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner, despite giving assurance to



this Court, is not cooperating in the investigation, in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned Trial Court.

(Satyavrat Verma, J)

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