

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-IV, SAHARSA

A.B.A. NO. 398/2026

Ajit Khirhar @ Ajit Kumar

....Petitioner

versus

The State of Bihar

Order

04.05.2026

1. Anticipatory bail application has been filed on behalf of petitioner namely **1.Ajit Khirhar @ Ajit Kumar**, who apprehends his arrest in connection with **Mahishi P.S. Case No. 58/2026** registered u/s 126(2), 115(2), 303(2), 109, 352, 351(2), 351(3) and 3(5) of BNS and 27 of Arms Act.

2. The brief facts of the FIR as per informant Uma Khirhar is that his father in law Nunulal Panjiyar was having 1 bigha 10 khatta of land and when his father-in-law tried to transfer the said land to his wife then accused Ajit Khirhar committed a fraud and took Rs. 20 lakhs for the land and sold the same to somebodyelse. It has been further alleged that on 03.03.2026 at about 10:30 PM, when the informant was having his dinner then accused Ajit Khirhar came lashed with pistol and started firing indiscriminately and pushed the mother of the informant on ground and accused Hareram Khirhar, Ankit Khirhar and Mina Khirhar abused the informant and her mother.

3. Heard Ld. counsel for the petitioner and Ld. APP for the state.

4. Ld. Counsel for the petitioner submits that he has been falsely implicated along with his entire family and he is innocent. He further submits that **it has come in para 31 of the case diary that other accused namely Hareram Khirhar, Mina Khirhar and Ankit Khirhar were not present on the spot and they have been falsely implicated.** It has come in the same para that Hareram Khirhar and Mina Khirhar are mother and father of the accused Ajit Khirhar and they are super senior citizen aged about 75 years, who can not even walk properly and other accused Ankit Khirhar is a student of Matric and stays in Saharsa for study. It has been further come in the said para that accused namely Ankit Khirhar has been falsely implicated by the informant. However it has been supported by the witnesses that petitioner Ajit Khirhar did firing.

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5. Ld. APP also submits that such trend of implicating innocent person must be curtailed by taking strict action against the person who gives false information and lodges a false FIR.

6. Considering the fact as per the case diary that petitioner has committed the offence of firing, this court **is not inclined** to grant anticipatory bail to the accused/petitioner namely Ajit Khirhar @ Ajit Kumar, hence the present bail petition is hereby **rejected**.

7. Since, it has come in the para 31 of the case diary that informant has **falsely implicated** the co-accused Hareram Khirhar and Mina Devi, who are the **Super Senior Citizen aged about 75 years** and not able to properly walk and other accused Ankit Khirhar is a student and at the time of incident was at Saharsa and all 3 have falsely been implicated by the informant.

8. It is pertinent to be mentioned here that there is a **dangerous trend in our society for implicating either entire family or some innocent person to settle the score with one person and therefore all persons connected with one wrong doer get falsely implicated by the informant**.

9. It goes without saying that **our society has become very implicating and complicating** and people approach the police and implicate entire family or innocent person connected with one, without any fear, because such persons get scot free without be punished for implicating innocent people.

10. Now, the time has come that the court should take serious note of such trend and needs to curtail by the active diligence of the court. Therefore the **concern SHO of Mahishi is directed to file an appropriate case against the informant**, who has falsely implicated 2 super senior citizen and one young minor student and **see that whether a case** u/s 212, 217 and 240 BNS for giving false information and false implication of innocent person is made out or not.

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11. Accordingly the SHO is directed to make a detail investigation in this regard after taking appropriate action.

12. Let the copy of this order be sent to SHO, Mahishi, DYSP Saharsa and S.P. Saharsa.

Accordingly the present bail petition is disposed off.

Dictated

Sd/-

Avinash Kumar-I

Addl. Sessions Judge-IV
Saharsa