

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11992 of 2025

Arising Out of PS. Case No.-286 Year-2024 Thana- BIHTA District- Patna

Chandan Kumar @ Raju Ranjan S/o- Shyam Bihari Ray @ Shyam Bihari
singh Resident of village- Simari Navada Ps- Bihta District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv.

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-07-2025 Heard learned counsel for the petitioner and Mr.

Nityanand Tiwary, learned A.P.P. for the State. Perused the

case diary.

2. The petitioner apprehends his arrest in

connection with Bihta P.S. Case No. 286 of 2024 instituted

for the offences under Sections 399, 402 of the Indian Penal

Code and Section 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that, police on the

basis of secret information that some miscreants have

assembled to commit some crime, raided the place of

occurrence and apprehended five accused persons including

the petitioner. On search, various arms and ammunition were



recovered from the co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty village politics. The petitioner was neither apprehended on spot nor anything incriminating has been recovered from his conscious possession. The incriminating articles were recovered from the possession of co-accused Raj Kumar and Vicky Kumar. The petitioner was not present at the place of occurrence and has been made accused in this case on the basis of disclosures made by the co-accused persons and, except this, there is nothing against the petitioner in the entire record of the case. The petitioner has one criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has no concern with the alleged occurrence or the co-accused persons or the seized articles. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. Charge-sheet has been submitted in this case.



5. Learned counsel for the petitioner further submits that the co-accused Raushan Kumar has been granted regular bail by this Court vide order dated 07.08.2024 passed in Cr. Misc. No. 54322 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the offence alleged is serious in nature. He further submits that the apprehended co-accused persons confessed their hand in looting and also told that the looted money has been kept by co-accused Raj Kumar and remaining money and pistol used in the crime is kept by the present petitioner. On this statement, the police also recovered Rs. 98,000/- from one of the arrested accused. The petitioner has one criminal antecedent under Section 392 of the I.P.C. in which he is on bail.

7. Having heard learned counsel for the parties and considering the entire facts and circumstances of the case as also taking into account the nature and gravity of the offence, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.



8. Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected. If the petitioner surrenders before the court below within a period of six weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

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