

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36285 of 2025

Arising Out of PS. Case No.-189 Year-2024 Thana- BANMANKHI District- Purnia

1. Kundan Kumar @ Kundan Rishideo @ Shivsaran Kumar S/o- Vijendra Rishidev Village- Vrindavan W.No-7, Ps- Murliganj Dist- Madhepura
2. Bablu Kumar @ Bablu Rishidev S/o- Pappu Rishideo Village- Baijnathpur W.No-2, Ps- Bihariganj Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Vardhan, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners apprehend arrest in Banmankhi P.S. Case No. 189 of 2024, registered under Sections 302, 394, 427 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that four unknown miscreants attacked CSP operator Subhash Mishra during cash transit on Rashadh Road, killing him while he tried to escape. The informant survived from gunshot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. Learned counsel for the petitioners also submits that the petitioners are neither named in the FIR nor present on the spot. Name of the petitioners have transpired in this case on the basis of confessional statement made by co-accused, namely, Nitish Kumar Rishideo and the same has got no evidentiary value. It is further submitted that the allegation levelled against the petitioners is general and omnibus in nature. The petitioners have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners and submits that in course of investigation name of these petitioners have surfaced as an accused in the offence and the case diary shows that they were involved in the offence. It is further submitted that there is sufficient evidence in the case diary showing the complicity of both the petitioners in the offence. The involvement of these petitioners reflects as per the confessional statement in paragraph no. 115 of the case diary. As per supervision note, the case was found true against these petitioners. Hence, the petitioners does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioners.



7. The prayer is rejected. However, the petitioners are directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Rajorshi/-

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