

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42057 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- MEHANDIGANJ District- Patna

Prakash Kumar Son of Sulendra Yadav Resident of Village- Ranipur near Kali
Asthan, P.S.- Mehandiganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-07-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 103 of the
BNS & Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and the informant alleges
that his brother was shot and the assailant was seen by Dilip
with whom his brother had gone to cook Bhandara organized by
Bunty, further Bunty also saw the assailant and they can
identify.

4. The learned counsel for the petitioner submits that
FIR is against unknown and during the course of investigation,
it transpired that his brother died in cross firing resorted to in
between Sakaldeep and his associate and Prakash and his



associate.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that in the FIR, it has been specifically alleged that Dilip and Banty have seen the assailants and they can identify and in the event if the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which, the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five 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 Mehandiganj P.S. Case No.23/2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Further, one of the bailors of the petitioner shall be his father, namely, Sulendra Yadav.

8. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

(Satyavrat Verma, J)

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