

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43917 of 2025**

Arising Out of PS. Case No.-744 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

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Pankaj Kumar @ Pankaj Singh S/o Janardhan Singh R/o vill- Dharnihatta,
P.S. - Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Raghav Prasad, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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

ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Gopalganj P.S. Case No. 744 of 2024 instituted for the
offences under Sections 118(2), 109, 118(1), 61(2), 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-b)a, 26, 35 of
the Arms Act.

3. Prosecution case, in short, is that some assailants
surrounded the prisoner Vishal Singh and fired upon him when
the prisoners were being taken by the police for their production
before the Court. It is further alleged that in course of firing, one
person, namely Suresh Kumar was apprehended with arms and
ammunitions.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The specific allegation of firing is against co-accused Suresh Kumar. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that during course of investigation, the co-accused Suresh Kumar who was apprehended on the spot has disclosed that this petitioner provided the arms and ammunitions which was used in the alleged occurrence.

6. Considering the aforesaid facts and circumstances of the case, as also there being direct material against the petitioner in the case diary, in my view, this is not a fit case for anticipatory bail, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.



8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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