

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65614 of 2025

Arising Out of PS. Case No.-343 Year-2024 Thana- PIRO District- Bhojpur

Rabish Kumar @ Sipahi Yadav Son of Tarkeshwar Yadav R/o Village - Hat Pokhar, P.S. - Piro, Dist. - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 08-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Piro P.S. Case No. 343 of 2024 registered for the offences punishable under Sections 309(5) and 311 of the B.N.S and 27 of the Arms Act.

3. As per prosecution case, the informant is employed as a Data Operator at Jagdishpur Block. On 09.08.2024, at about 07:30 p.m., while returning alone to his native village, Koyal, on his motorcycle after completing his official duties, he was intercepted by two unknown miscreants riding a black motorcycle. It is alleged that upon reaching the Dhobighatwa road, the said assailants chased and signaled him to stop by brandishing a firearm. The informant attempted to



evade them, whereupon the accused persons fired, causing injuries to the informant's jaw. It is further alleged that the informant was carrying a bag containing articles, including a laptop, mobile phone, cash, and other valuables, which the accused persons attempted to snatch. However, upon noticing a four-wheeler approaching from the opposite direction, the accused abandoned their attempt, leaving the informant injured, and fled towards Jagdishpur.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the F.I.R. It is further submitted that petitioner is not named in the F.I.R. rather his name has surfaced upon the confessional statement of co-accused by Ritesh Kumar, who has inimical terms with the petitioner. Nothing has been recovered from the possession of the petitioner. Apart from that, petitioner having two criminal antecedents in which he is already on bail.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner and submits that informant/victim sustained grievous injury caused by the firearm. Apart from that, petitioner having two criminal antecedents and he has not surrendered before the court and investigation is still going on. It is further submitted that the



confessional statement of co-accused Ritesh Kumar clearly reflects that the petitioner is assailant of the informant/victim as mentioned in para 17 of the case diary.

6. Considering the facts and circumstances of the case, nature of allegation leveled against the petitioner coupled with injury report as well as material available on record, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Alok Kumar Pandey, J)

Nilmani/-

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