

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74794 of 2025**

Arising Out of PS. Case No.-223 Year-2025 Thana- BIHTA District- Patna

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1. Dhiraj Kumar S/O Sanjeev Toni @ Ravindra Yadav R/O Vill.- Mola, Police Station- Maner, District- Patna.
  2. Sachin Kumar @ Yubraj Kumar S/O Sanjeev Toni @ Ravindra Yadav R/O Vill.- Mola, Police Station- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Ruchikar Jha, Advocate      |
|                          |   | Mr. Sudhanshu Prakash, Advocate |
| For the Opposite Party/s | : | Mr. Parmanand Prasad, APP       |

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      19-11-2025                      Heard learned counsel for the petitioners and  
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Bihta P.S. Case No. 223 of 2025 registered for the offences punishable under Sections 329(3), 109, 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, the petitioners and others entered into the informant house and at the behest of co-accused Ashok Yadav, Sanjeev Kumar Toni @ Ravindra Yadav, Billu Gope and Rahul Gope started firing as a result of which informant's mother and his wife sustained fire arm injury.

4. Learned counsel for the petitioners submit that



petitioners are quite innocent and have committed no offence as alleged in the F.I.R. There is no specific allegation against the petitioners rather the allegation of firing is against co-accused Sanjeev Kumar Toni @ Ravindra Yadav, Billu Gope and Rahul Gope. Petitioners are merely member of mob. Co-accused Ashok Yadav and Golu Gope have already been granted anticipatory bail by the Co-ordinate Bench of this Court vide Cr. Misc. No. 69993 of 2025 and the case of petitioners stands on similar footing. Petitioners have no criminal antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners and submits that petitioners are FIR named accused and, hence, they cannot escape from the allegation made in the F.I.R.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioners, there is no specific overt act against the petitioners, similarly situated co-accused persons have already been granted anticipatory bail by the Co-ordinate Bench of this Court and also taking into consideration the materials available on record, the petitioners, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)



each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Danapur in connection with Bihta P.S. Case No. 223 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

**(Alok Kumar Pandey, J)**

Ranjeet/-

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