

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5291 of 2026

Arising Out of PS. Case No.-84 Year-2024 Thana- CHAND District- Kaimur (Bhabua)

Prem Shankar Mishra Son of Late Sidhari Mishra Resident of Vill.- Nibbi,
P.S. -Chand, Dist. - Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Ms. Kumari Anupam, Advocate
For the State	:	Mr. Murli Dhar, APP
For the Informant	:	Mr. Sudama Singh, Advocate
		Mr. Shashikant, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-02-2026 Heard learned counsel appearing on behalf of the petitioner, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 302, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, on the alleged date and time of occurrence, all the F.I.R. named accused persons, including this petitioner, variously armed, came and abused brother and father of informant and on the orders of this petitioner and co-accused Mohan Mishra, co-accused Munnar Mishra, Amit Mishra, Ajay Mishra and Chandan Mishra opened



fire which hit the brother of informant due to which, he died.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that petitioner is only alleged to be order give and no specific accusation of overt act has been alleged against him. Specific accusation of opening fire is against co-accused Munnan Mishra, Amit Mishra, Ajay Mishra and Chandan Mishra. Co-accused Mohan Mishra, having similar and identical allegations, has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 22.12.2025 passed in *Cr. Misc. No. 86890 of 2025*.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, fact that petitioner is not assailant of the deceased and claim based on parity, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist, Kaimur, Bhabhua in connection with Chand P.S. Case No. 84 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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