

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4450 of 2026

Arising Out of PS. Case No.-411 Year-2025 Thana- ATHMALGOLA District- Patna

Mantu Kumar @ Mintu Kumar S/o- Jay Ray R/v- Ganjpar Ps- Athmalgola
Dist- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Adv.

For the State : Ms. Pushpa Sinha No. 1, APP.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Athmalgola P.S. Case No. 411 of 2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 132, 109(1), 324(4), 303(2) of the BNS.

3. As per prosecution case, on 11.11.2025, a raiding team was formed against those persons who were involved in the purchase-sale, transportation and consumption of illicit liquor. When the informant along with police officials reached at village Ganjpar, the informant found that 4-5 people were



creating ruckus on the roadside and among them 2 persons were apprehended. It is alleged that during breath analysis test, apprehended co-accused Mukesh Kumar snatched the breath analyzer machine number-2579 and its pencil number-1364 and also called around 15-20 nearby people and thereafter they abused the informant and other police officials and also attacked upon the police team by means of bricks and stones. During the course of scuffle, the miscreants damaged two Bolero cars, one Scorpio car and one Tata Winger car in question by pelting bricks and stones and also snatched one mobile phone of homeguard Satendra Paswan. It is alleged that four police personnel also sustained injuries in the said incident. Nearby people disclosed the name of 14 accused persons and 10-15 unknown persons who were involved in the said incident.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Learned counsel further submits that petitioner is not named in the FIR and during course of investigation, name of petitioner has been transpired in this case in confessional statement of co-accused Mukesh Kumar, as mentioned in the impugned order. He further submits that except confessional statement of co-



accused Mukesh Kumar, there is nothing on record to connect the present petitioner with the alleged occurrence. Petitioner bears no criminal antecedent. He further submits that nothing has been recovered from possession of the petitioner. Petitioner was not found at the place of occurrence. Petitioner has nothing to do with the alleged occurrence.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that during course of investigation, name of petitioner came in this case in confessional statement of co-accused Mukesh Kumar and hence, petitioner cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, petitioner was not found at the place of occurrence, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Barh, Patna in connection with Athmalgola P.S. Case No. 411 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)

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