

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.518 of 2026

Arising Out of PS. Case No.-348 Year-2025 Thana- BIHTA District- Patna

=====

Anshu Pandit @ Anshu Kumar Pandey @ Anshu Baba @ Anshu Kumar S/o
Raj Kishore Pandey @ Raj Kishor Panday R/o vill - Bishunpura
(Bishnupura), P.s- Bihta, Distt.- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajesh Chaudhary S/o Nareh Chaudhary R/o vill - Wajitpur, P.S.- Bihta,
Distt.- Patna

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Shubhesh Pandey, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Spl.PP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 25-06-2026 Despite valid service of notice upon Respondent
No.2, no one appeared on behalf of Respondent No.2.

2. Heard Mr. Shubhesh Pandey, learned counsel for
the appellant as well as Ms. Usha Kumari 1, learned Spl.P.P. for
the State.

3. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for regular bail by order dated 12.01.2026
passed by the learned Court of Exclusive Special Judge-SC/ST
Act, Civil court, Sadar, Patna in connection with Bihta P.S. Case
No. 348 of 2025, F.I.R. dated 16.05.2025 registered under
Sections 103(1), 3(5) of the Bharatiya Nyay Sanhita and
Sections 27 of Arms Act 3(2)(va) of the Scheduled Castes and



Scheduled Tribes Act.

4. According to the prosecution case, some miscreants fired on the chest and jaw of the brother of informant, due to which he got injured and later taken for treatment to Netaji Subhash Chandra Bose Medical College and Hospital, Bihta where during course of treatment, he died.

5. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the appellant has not committed any offences as alleged in the F.I.R. Initially the appellant was not named in the FIR and his name transpired on the basis of confessional statement of co-accused person, namely, Bhola Singh, who has categorically stated that co-accused persons, namely, Raja Singh and Priyanshu Singh have fired upon the victim. He next submits that as per the statement of Bhola Singh, the appellant was only present at the place of occurrence and there is no specific allegation of assault or overt act against him and at best the appellant is the member of the mob and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the appellant in the present case. He further submits that the police,



after investigation, submitted charge sheet against the appellant.

The appellant is in custody since 27.12.2025.

6. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant and submits that from bare perusal of the statement of the accused Bhola Singh, it appears that appellant was present at the place of occurrence and apart from that, the appellant carries two criminal antecedents other than the present one.

7. Considering the facts and circumstances of the case and the fact that there is no specific allegation of assault or overt act, let the appellant, above named, be released 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 Court of Exclusive Special Judge-SC/ST Act, Civil court, Sadar, Patna in connection with Bihta P.S. Case No. 348 of 2025, with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

Suruchi/-

U		T	
---	--	---	--

