

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17105 of 2026

Arising Out of PS. Case No.-546 Year-2022 Thana- GAURICHAK District- Patna

1. Rohit Kumar Son of Nawal Kishore Ram @ Nawal Ram Resident of village- Sohagi, P.S.- Gaurichak, District- Patna.
2. Jitendra Ram son of Balak Ram Resident of village- Sohagi, P.S.- Gaurichak, District- Patna.
3. Rakesh Kumar son of Jitendra Ram Resident of village- Sohagi, P.S.- Gaurichak, District- Patna.
4. Bikesh @ Bikash Kumar Son of Jitendra Ram Resident of village- Sohagi, P.S.- Gaurichak, District- Patna.
5. Mantu Kumar @ Mantu Ram Son of Amir Ram Resident of village- Sohagi, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-04-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 307, 504, 506, 332, 333, 337, 338, 353, 188, 427, 509 and 120B of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioners submits that petitioners had earlier moved before this Court seeking anticipatory bail by filing Cr. Misc. No. 34636 of 2023 and the same was permitted to be withdrawn by an order



dated 25.07.2023 with a direction that if the petitioners surrender before the learned Court below within six weeks and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by the order considering the fact that similarly situated co-accused have been granted regular bail by the learned Court below.

4. Learned counsel appearing on behalf of the petitioners submits that subsequent to the orders passed by this Court co-accused Bimlesh Ram and Mukesh Ram had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 8347 of 2026 and the same came to be allowed by an order dated 17.02.2026, as such, the petitioners submit that in the changed circumstance, the petitioners have preferred the instant second anticipatory bail application.

5. Mr. Chandra Bhushan Prasad, learned A.P.P. for the State vehemently opposes the second anticipatory bail application of the petitioners and submits that petitioners appear to be fence sitters. It is further submitted that a learned Coordinate Bench in the year 2023 itself had granted liberty to the petitioners to surrender and seek regular bail and the learned Trial Court was directed to consider the case on the same day



keeping in mind the fact that similarly situated co-accused have been granted the privilege of regular bail but then the petitioners instead of abiding by the orders passed earlier in Cr. Misc. No. 34636 of 2023 have approached this Court again after the order dated 17.02.2026 in Cr. Misc. No. 8347 of 2026. It is next submitted that the order by which the anticipatory bail application of the petitioners was permitted to be withdrawn appears not to be annexed in Cr. Misc. No. 8347 of 2026.

6. After hearing the learned A.P.P. for the State, the Court is not inclined to entertain the second anticipatory bail application of the petitioners in connection with Gaurichak P.S. Case No. 546 of 2022 pending in the Court of learned 1st Additional Chief Judicial Magistrate, Patna City/Successor Court.

7. Hence, the second anticipatory bail application is rejected.

(Satyavrat Verma, J)

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