

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21467 of 2026

Arising Out of PS. Case No.-423 Year-2020 Thana- JHAJHA District- Jamui

Idrish @ Nanka @ Md. Nehal Son of Kamal Mian R/o Village - Simartarn
Tahba, Police Station - Jhajha, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 09-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 379, 461
and 511 of the Indian Penal Code read with Sections 37(b)(c) of
the Bihar Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case. It is next submitted that
from perusal of the allegation as alleged in the FIR, it would
manifest that informant alleges that on 06.12.2020 he closed his
shop and came back home and at around 04:15 AM his nephew
informed that he heard sound of the shop's lock being broken,
accordingly the informant along with villagers rushed when they
saw three accused with iron rod out of which two accused were



apprehended and one accused fled and the apprehended accused disclosed the name of the petitioner who fled away, it is also alleged that apprehended accused were in a drunken condition.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that it is not the case of the prosecution that any theft was committed in his shop. It is further submitted that name of the petitioner transpired based on extra judicial confession of the accused who were apprehended by the villagers, as such, the same does not have any evidentiary value.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, 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 **Provisional anticipatory bail** on furnishing bail bonds of Rs. 5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Jhajha P.S. Case No. 423 of 2020 subject to the conditions as laid down



under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than one case then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of one case only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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