

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14819 of 2026

Arising Out of PS. Case No.-889 Year-2025 Thana- BIHTA District- Patna

Hani Kumar @ Rupesh Kumar S/O Lichi Singh @ Kamlesh Singh R/O
Village - Bishunpura, P.S- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Syed Asgher Najmi, Adv.
For the State	:	Mr. Jagdhar Prasad, APP
For the informant	:	Mr. Abhishek Singh Rathaur, Adv. Mr. Rakesh Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 29-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bihta P.S. Case No. 889 of 2025 registered for the offence under Sections 126(2), 115(2), 303(2), 324(4), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. According to the prosecution case, the informant is a land broker with an office in Bihta, Patna. On December 2, 2025, while travelling to Danapur in his personal vehicle (registration no. BR01JP-5028) to pay a landowner, he was accompanied by his partners and carrying ₹11 lakhs in cash. At approximately 3:00 PM, near the Bishambharpur petrol pump, 10–15 unknown individuals on 4–5 motorcycles surrounded and damaged the vehicle with stones. The assailants forcibly took



the ₹11 lakhs, a gold chain valued at ₹6 lakhs, and a mobile phone before fleeing the scene. The informant identified one of the attackers as Hani Kumar. Accordingly, an FIR was registered.

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 for the petitioner submits that there are no specific allegations against the petitioner regarding assault or theft. It was further submitted that, according to the First Information Report, 10–15 individuals on 4–5 motorcycles arrived at the scene and damaged the informant's vehicle; however, the informant failed to provide a single license plate number.

Learned counsel for the petitioner next submitted that although the informant identified the petitioner as a member of the mob while they were fleeing, the informant failed to explain how he recognized or knew the petitioner. Furthermore, despite this identification, the informant did not allege that the petitioner personally assaulted anyone or snatched any property. Finally, learned counsel argued that Section 303(2) of the Bharatiya Nyaya Sanhita is not attracted in this case, as there are



no specific allegations to support such a charge against the petitioner.

5. The learned APP opposes the anticipatory bail application.

6. As per the allegation contained in the FIR, the allegation against the petitioner is that he along with other 10-15 unknown persons had surrounded the vehicle of the informant, damaged the vehicle, snatched eleven lakhs and gold chain worth rupees six lakhs and of having assaulted the informant and further while fleeing away one of them was identified as the petitioner. The petitioner also carries one criminal antecedent, which has been described in paragraph-3 of the application.

7. Considering the fact that the petitioner has been identified while fleeing away and that he also carries criminal antecedent, I am not inclined to grant privilege of anticipatory bail to the petitioner.

8. Accordingly, the anticipatory bail application is rejected.

(Alok Kumar Sinha, J)

Prakash Narayan

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

