

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14694 of 2026

Arising Out of PS. Case No.-492 Year-2025 Thana- GOPALPUR District- Patna

Mohan Rai S/O Nasib Lal @ Nasib Rai Resident of village- Domanchak, PS-
Gopalpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Kishore Sharma

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 29-04-2026 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 offence punishable under Sections 103(1) and 103(2) of BNS along with Sections 25(1-B) (i), 26 and 35 of the Arms Act, in connection with Gopalpur P.S.Case No. 492 of 2025.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the FIR and his name has surfaced on the basis of confessional statement of co-accused Ravindra Kumar, who has been granted regular bail by a co-ordinate Bench of this Court. It is further submitted that during the course of investigation, neither any spy of the police



nor in the CCTV footage, he has been identified by any of the witnesses.

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

5. The petitioner is not a named accused in the FIR. His name has come up on the basis of confessional statement of co-accused Ravindra Kumar, who has already been granted regular bail by a co-ordinate Bench of this Court, vide order dated 25.03.2026 passed in Cr.Misc. No.18111 of 2026. Although, it is said that the petitioner has been identified in the CCTV footage, but paragraph nos. 27 and 32 of the case diary, indicate that the petitioner was not carrying any arms. In fact, it was Ravindra Kumar, who was carrying a *lathi* in his hand, who has already been granted regular bail. The petitioner has one criminal antecedent, which has been described in para-3 of the application, in which the petitioner is said to be on bail.

6. Under these circumstances, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction learned Judicial Magistrate 1st Class, Patna in connection with Gopalpur P.S.Case No. 492 of 2025, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) the petitioner shall co-operate in the investigation/ trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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