

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21893 of 2026

Arising Out of PS. Case No.-315 Year-2024 Thana- RAGHOPUR District- Vaishali

Pankaj Mahto @ Pankaj Kumar Son of Kailash Mahto Resident of Village -
Rustampur Pachhariya, P.S.- Rustampur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rekha Prasad, Adv.

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-05-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Raghopur P.S. Case No.315 of 2024, registered for the
offences punishable under Sections 103, 61(2) and 3(5) of BNS.

3. Learned APP at the outset submits that petitioner
had earlier moved this court seeking anticipatory bail by filing
Cr. Misc. No.42010 of 2025 and the same came to be rejected
by an order dated 09.07.2025. It is further submitted that
thereafter Om Kumar @ Om Rai had approached this court
seeking anticipatory bail by filing Cr. Misc. No.57935 of 2025
and the same came to be allowed by an order dated 27.08.2025
passed by a learned coordinate Bench, thereafter Ranjit Rai
approached this Court seeking anticipatory bail by filing Cr.
Misc. No.73263 of 2025 and the same came to be allowed by



this court by an order dated 11.02.2026 but then it is submitted that what is remarkable is that from perusal of the order dated 27.08.2025 in Cr. Misc. No.57935 of 2025 and order dated 11.02.2026 in Cr. Misc. No.73263 of 2025, the order dated 09.07.2025 in Cr. Misc. No.42010 of 2025 was not brought to the notice of the Court. Learned APP fairly submits that no doubt parity is to be maintained but when petitioner earlier moved before this court and his anticipatory bail came to be rejected and concealing the said fact, subsequent anticipatory bail was obtained by other accused persons, whether the same entitles the petitioner to seek anticipatory bail based on parity. It is submitted that the answer is obvious no.

4. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that her husband was in judicial custody and his friend Bhullu Rai used to visit her and pressurized her for getting married to him, further on 08.11.2024 in her absence, Bhullu Rai kidnapped her minor son aged about three years and threatened that if she will not marry him, the child would be killed and thereafter called her at Jethuli Ghat where the informant went, but the child was not handed over, further on 09.11.2024, the dead body of the child was recovered,



thus, alleges that Bhullu in conspiracy killed the child.

5. It is thus submitted that specific allegation in the FIR of killing the child is against Bhullu Rai and petitioner is not named in the FIR, on which, the learned APP submits that when Bhullu Rai was apprehended, he disclosed the name of the petitioner. It is also submitted that a child of 3 years was killed whose dead body was recovered, whether petitioner was involved in the occurrence or not is an aspect of investigation and if petitioner is not involved in the occurrence then why he is evading the police and has filed the second anticipatory bail application merely for the reason that some other similarly situated co-accused have been granted the privilege of anticipatory bail by concealing the earlier order dated 09.07.2025 in Cr. Misc. No.42010 of 2025. It is also submitted that anticipatory bail application of the petitioner was rejected on 09.07.2025 in Cr. Misc. No.42010 of 2025 and nearly eight months thereafter, the instant second anticipatory bail application has been filed, which amply demonstrates that the petitioner is evading the law.

6. After hearing the learned counsel for the parties, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.



7. Accordingly, the instant anticipatory bail application of the petitioner stands rejected.

(Satyavrat Verma, J)

amit/-

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

