

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21166 of 2026

Arising Out of PS. Case No.-669 Year-2025 Thana- ALAMGANJ District- Patna

Shivdatt @ Shivdatt Arya @ Shivdatt Prasad Arya S/o Mahavir Prasad R/o
Village- Sadargali, P.S- Khajekalan, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Prasad, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner apprehends his arrest in a case registered under Section 111 of the Bharatiya Nyaya Sanhita and Sections 25(1-b)(i), 26(1)(2) and 35 of the Arms Act.

3. As per the F.I.R., the informant arrested four accused persons, who were coming in a Xylo Car bearing Reg. No. BR01-PB-1577 in suspicion condition. On inquiry, they told that they have organized a gang, in which 8 more persons including the petitioner are members. The accused persons disclosed that they were planning of kidnapping and murder of a person. From the house of apprehended co-accused, namely, Nandkishore Singh @ Puttan Singh, several arms and ammunition were recovered.



4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case due to local politics. Further submission is that petitioner has no concern with the accused persons. Nothing incriminating material has been recovered from the premises of the petitioner or from his conscious possession. Except the confessional statement of co-accused, there is nothing material against the petitioner. Petitioner is aged about 64 years, suffering from serious disease of brain stroke and is under treatment for last two years. He next submits that similarly situated seven accused persons have been granted anticipatory bail *vide* order dated 04.09.2025 passed by learned District and Additional Sessions Judge-II, Patna City in A.B.P. No. 1436 of 2025 and A.B.P. No. 1457 of 2025 (Annexure-P/2). Petitioner has got one criminal antecedent in which he is on bail. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, submissions of learned counsel for the parties, nature of allegation, age of the petitioner and the fact that similarly situated co-accused persons have been granted anticipatory bail,



let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Patna City in connection with Alamganj P.S. Case No. 669 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita with further conditions:-

(i) Petitioner shall co-operate in the investigation and trial and shall remain present on each and every date during trial and in his absence on two consecutive dates, the trial court is at liberty to cancel his bail bond.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner

(Sunil Dutta Mishra, J)

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