

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24462 of 2026

Arising Out of PS. Case No.-341 Year-2022 Thana- BHAGWANPUR HAT District- Siwan

Rajesh Singh @ Rajesh Kumar Kushwaha @ Rajesh Kushwaha S/o Ashok
Prasad R/o Noor Nagar, Kanhi, P.S.- Jalalpur Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-04-2026 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 272, 273, 328, 308, 304, 201 and 120(B) of the Indian Penal Code read with Sections 30(a), 33, 34 and 37(b) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of eight cases out of which four cases are under the Excise Act and the informant alleges that 14.12.2022, a secret information was received that Rajendra Pandit, Amir Manjhi, Awadh Manjhi and Shambhu Manjhi along with Mahesh Rai died under suspicious circumstances after falling ill, thereafter on 19.12.2022, the informant got an information that death of the abovementioned persons occurred



due to consumption of spurious liquor and the family members believing it to be a natural death performed cremation, it is next alleged that above deceased on insistence of Jamadar Rai went to the house of Radhe Maho, Anil Singh and Sushil Singh where they consumed spurious liquor on account of which their health deteriorated leading to death, it is further alleged that Jamadar Rai along with other co-accused committed the said occurrence.

4. Learned counsel for the petitioner submits that from perusal of the FIR, it would manifest that petitioner is not named in the FIR. It is also submitted that during the course of investigation, the name of the petitioner transpired in Isuapur P.S. Case No. 280 of 2022 and not in the instant case, but still the police is knocking the doors of the petitioner for arresting him in the instant case, on which the learned APP submits that if the name of the petitioner has not transpired in the instant case then on what basis, the petitioner has filed the instant anticipatory bail application.

5. It is also submitted by the learned APP that if police is trying to illegally arrest the petitioner in the instant case despite his name not figuring in the case during the course of investigation, in that event the petitioner ought to have moved before the concerned Superintendent of Police bringing



to his notice that despite not being implicated in the instant FIR, the police is knocking his door for arresting him, but then from perusal of the pleadings made in the anticipatory bail application, it manifests that no such steps have been taken. The learned APP next submits that if petitioner is not named in the FIR and his name has not transpired in the case, as being submitted by the learned counsel appearing on behalf of the petitioner then there is absolutely no apprehension of arrest in the instant case, but then the learned APP fairly submits that petitioner should file a representation before the concerned authority bringing to his notice that as to why police is chasing him when he is not an accused in the present case.

6. After hearing the learned counsel for the parties, the Court is in complete agreement with the learned APP for the State, as such, is not inclined to entertain the anticipatory bail application.

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

(Satyavrat Verma, J)

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