

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32614 of 2026

Arising Out of PS. Case No.-87 Year-2024 Thana- KANKARBAG District- Patna

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Prem Kumar Bhardwaj @ Prem Kumar S/O Ganesh Singh R/O Vill.-
Damodarpur, P.S. and Dist.- Lakhisarai, Bihar. Also At Postal park, Janta Path
Gali Resident of village- Ravnish Sinha House Ps- kankarbagh, Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abadh Kishore Singh, Advocate
Mr. Kamlesh Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-05-2026 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Kankarbagh P.S. Case No. 87 of 2024, lodged on 05.02.2024, under Section 304B/34 of the Indian Penal Code.

3. Learned Counsel for the petitioner submits that it is the second anticipatory bail application filed by the petitioner. His earlier bail application was rejected vide order dated 22.03.2025 passed in Cr. Misc. No. 67875/2024 considering



that process under Sections 82 and 83 Cr.P.C. was started against the petitioner. His bail application was rejected by this Court with observation given in para 8, which states as follows :

“ Considering the fact that the process under Sections 82 and 83 of the Cr.P.C. has been started against the petitioner, this court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Kankarbagh P.S. Case No. 87 of 2024, pending before the learned C.J.M., Patna is hereby rejected.”

4. Learned counsel for petitioner submits that against the order dated 22.03.2025 passed in Cr. Misc. No. 67875/2024, the petitioner has preferred Special Leave Petition (Criminal) Diary No. 37713/2025. The said SLP was dismissed as withdrawn vide order dated 19.12.2025 with observation as under:

“Having argued for some time, learned counsel for the petitioner seeks to withdraw this special leave petition.

Permission granted.

The special leave petition is, accordingly, dismissed as withdrawn.”

5. Thereafter the petitioner has moved before this Hon'ble Court again submitting that some of the grounds the



petitioner could not place before the Court. He submits that petitioner filed a complaint case on 30.12.2025 before a Judicial Officer with a new story against one Prashant Mishra and his sister Nanu Shree, who are said to be the friend of the petitioner and played an adverse role due to which criminal case bearing Kankarbagh P.S. Case No. 87/2024 has been instituted against him. Learned counsel for petitioner submits that it is a new ground on the basis of which his second anticipatory bail application should be entertained.

6. Learned Counsel for State, on the other hand, submits that the rejection order of the earlier anticipatory bail passed by this Court vide order dated 22.03.2025 in Cr. Misc. No. 67875/2024 has been challenged in the SLP and the said SLP was also dismissed as withdrawn, then there is no scope for the petitioner to file the second anticipatory bail application and his anticipatory bail application should be dismissed.

7. Upon perusal of the record, this Court found the so-called additional ground and was surprised to note that the petitioner's anticipatory bail application in Cr. Misc. No. 67875/2024 had already been rejected on 23.03.2025. Against the said order, an SLP was filed before the Hon'ble Supreme Court of India, which was dismissed as withdrawn on



19.12.2025. Thereafter, on 30.12.2025, the petitioner filed a complaint introducing an entirely new story alleging that his friend, Prashant Mishra, and his sister, Nanu Shree, were the real culprits, on account of which Kankarbagh P.S. Case No. 87/2024 had been instituted against the petitioner.

8. It appears to this Court that such a complaint case based on a completely new story, developed after the rejection of the SLP before the Hon’ble Supreme Court on 19.12.2025, cannot be treated as an additional or subsequent ground. Accordingly, the present anticipatory bail application is hereby rejected.

(Dr. Anshuman, J)

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