

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29423 of 2026**

Arising Out of PS. Case No.-7 Year-2024 Thana- DORIGANJ District- Saran

Surya Prakash Kumar @ Shiv Prakash Kumar S/o- Om Praksh Kumar Vill-  
Raipur Bindgawan PS-Doriganj Dist- Saran

... .. Petitioner/s  
Versus  
The State of Bihar

... .. Opposite Party/s  
**Appearance :**  
For the Petitioner/s : Mr. Sushil Kumar Singh, Advocate  
For the State : Mrs. Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      18-05-2026                      Heard the parties through virtual mode.

2. The petitioner is apprehending his arrest in connection with Doriganj P.S. Case No. 07 of 2024 registered for the offence punishable under Sections 395 and 397 of the Indian Penal Code, lodged on 09.01.2024 by the informant Ravi Sharma.

3. As per the prosecution story, the informant alleged that when alongwith the Truck proceeded to Koilwar for loading the sand from Sone River, as he got down to attend nature's call, heard the cry of the co-driver and on reaching there saw that he has been surrounded and is relieved of the mobile as also cash. As he reached the place, the accused persons opened fire



causing injury to the co-driver. However, he caught hold of the miscreants which followed the scuffle but they succeeded in injuring him and took away Rs.15,000/- as also a mobile phone. This led to the F.I.R.

4. As the story subsequently unfold, one of the accused Chhotan Kumar was arrested by the Police and he gave the name of the other accused persons, the petitioner included, in that background, he got implicated.

5. Learned counsel for the petitioner submits that he is a young boy having no criminal antecedent and only on the basis of wrong confessional statement got implicated. Further, the allegation of opening fire is not on this petitioner, Chhotan Kumar was actively involved but now he is out of jail.

6. Learned APP on the other hand opposes the prayer submitting that not only there is allegation of taking away cash and mobile, in the process, the co-driver was assaulted/injured by opening of fire.

7. Taking into account the submissions of the parties as also the facts that have incorporated above, no case of anticipatory bail is made out.

8. The anticipatory bail application stands rejected.

9. However, if the petitioner surrenders in next four



weeks and prays for bail, the same be considered on the point raised by the petitioner at the time of bail which be disposed of, at an earliest.

**(Rajiv Roy, J)**

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