

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37870 of 2026

Arising Out of PS. Case No.-709 Year-2025 Thana- RAHUI District- Nalanda

Manish Kumar son of Bablu Prasad Resident of village- Mandachh,
Dumrawan, Ps- Deepnagar, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikas Kumar Jha, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-06-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Chandra Bhushan Prasad.
2. The petitioner apprehends his arrest in connection
with Rahui P.S. Case No.709 of 2025 dated 27.12.2025, registered
for the offences punishable under Sections 126(2), 115(2), 118(1),
109(1) and 3(5) of the B.N.S., 2023.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases and the informant alleges
that he along with Rajesh on 27.12.2025 had gone to SDPL plant
for some work at 12 Noon, further his driver along with the tractor
came at the gate of the plant at 1.20 P.M., hence he came out on
the road to talk to his driver, further all of a sudden, unknown
accused persons came on 8-10 bikes and 3-4 accused were having
pistols and some of the accused caught his collar and said that he
is Gorelal, while other accused said that he is not, further an
accused assaulted him by butt of pistol on head causing injury,



thereafter all the accused persons entered the SDPL plant firing and fired at Rajesh causing injury on his thigh and fled, further he can identify some of the accused.

4. Learned counsel for the petitioner submits that FIR is against unknown and the name of the petitioner transpired in the confessional statement of Sanket. It is next submitted that from perusal of Page-25 of the anticipatory bail application i.e. Arrest Memo, it would manifest that Sanket was arrested at 3.30 P.M. but then his confessional statement was recorded at 3 P.M. and Sanket while recording his confessional statement has stated that he was arrested at 10 A.M. and thereafter his confessional statement was recorded. It is thus submitted that it does not appear probable that a person who was arrested at 3.30 P.M. his confessional statement could have been recorded at 3 P.M. It is also submitted that even the confessional statement of Sanket records that he was arrested at 10 A.M. on 12.02.2026. It is further submitted that based on the confessional statement of Sanket, the motorcycle used in the occurrence was recovered from the house of the petitioner but then it is submitted that when confessional statement itself does not inspire confidence, in that event, even recovery becomes doubtful.

5. Learned A.P.P. for the State Mr. Chandra Bhushan Prasad vehemently opposes the prayer for anticipatory bail of the petitioner and submits that petitioner is a criminal and has



antecedent of three cases. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant has not tried to falsely implicate anyone as such the FIR was against unknown and specific allegation of firing is alleged causing firearm injury to Rajesh on his thigh. At this stage, the learned counsel appearing on behalf of the petitioner submits that from perusal of the confessional statement of Sanket, it would manifest that he does not specifically alleged that it was petitioner who fired, on which, the learned APP reiterates and submits that petitioner is a criminal, he was present at the place of occurrence, motorcycle was recovered and his presence at the place of occurrence emboldened other accused to commit the occurrence of firing leading to injury to Rajesh.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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