

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38174 of 2026

Arising Out of PS. Case No.-29 Year-2026 Thana- GHOSWARI District- Patna

MANISH KUMAR Son of Fahudar Mahto @ Ranjit Mahto Resident of
village - Dhanakdobh, Police Station - Ghoswari, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 23-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Ghoswari P.S. Case No. 29 of 2026 dated 20.03.2026
registered for the offence punishable under Section/s 25(1-
B)a/26/27/35 of the Arms Act.

3. As per prosecution case, on receipt of secret
information, the police raided near Dhanakdobh water tank and
apprehended six persons while one allegedly escaped after firing
in the air. It is alleged that country-made pistols, live cartridges
and an empty cartridge were recovered from the possession of
some of the accused, who allegedly disclosed that they had
assembled to threaten one Sonu Kumar @ Teni. Two
motorcycles were also seized, leading to registration of the
instant case.



4. To the specific stand taken by the counsel for the petitioner that the petitioner at the time of incident was appearing in Class IX examination from 10 AM to 5 PM and, to buttress his submission, the admit card was produced and the State was directed to examine the stand taken with regard to plea of alibi and file counter affidavit. The stand taken in the counter affidavit reads as follows:-

“4. That the petitioner was appearing in class 9th examination at 10 A.M. to 5 P.M. According to school attendance examination register his attendance was there.”

5. From the counter affidavit, it is evident that the petitioner was appearing in Class IX examination at 10 AM to 5 PM scheduled at Utkramit Higher Secondary School, Dhanak Dobh, Ghoswari, Patna on the alleged date of occurrence and the attendance examination register was also examined by the Investigating Officer and the petitioner was found to be present in the said school.

6. Having heard learned counsel for the parties and considering the fact that the petitioner was not present at the place of occurrence on the alleged date of incident, let the petitioner, above named, be released on anticipatory bail in the



event of his arrest or surrender before the 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 Sub Divisional Judicial Magistrate, Barh, Patna in connection with Ghoswari P.S. Case No. 29 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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