

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39785 of 2026

Arising Out of PS. Case No.-55 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Mukesh Tiwari S/O Vijay Tiwari Resident of village- Babhanban, PS-
Bhojpur, District- Ara (Bhojpur)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raju Kumar, Adv
		Mr. Shubham Samrat, Adv
For the Opposite Party/s :		Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-06-2026 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 317(5) and
3(5) of the Bharatiya Nyaya Sanhita and Sections 25(1-b)a, 26
and 35 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that he got an information that on NH-27, four miscreants are
standing and are planing to commit an occurrence, accordingly
the forces reached the place of occurrence and apprehended two
accused who disclosed their name as Ritik and Asraf and from
the motorcycle, a country-made pistol was recovered and the



accused were not able to produce any document with regard to the motorcycle and also disclosed the name of Biru and petitioner who fled from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that petitioner was not apprehended from the spot and his name transpired in the confessional statement of apprehended-accused in police custody which does not have any evidentiary value. It is further submitted that Biru Mishra had approached this Court seeking anticipatory bail by filing Cr. Misc No. 69654 of 2025 and the same came to be allowed by an order dated 24-9-2025 by a learned Co-ordinate Bench. It is also submitted that case of petitioner is similar to the case of Biru Mishra.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kuchaikote P.S. Case No. 55 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. One of the bailors of the petitioner shall be his father, namely, Vijay Tiwari.

8. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

