

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45358 of 2026

Arising Out of PS. Case No.-8 Year-2026 Thana- BENIPATTI District- Madhubani

Pallav Mishra@ Pallav Mishr S/O Nagendra Misra @ Nagendra Mishr R/O
Village- Palli, P.S.- Benipatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah

For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2026 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 126(2), 115(2), 351(2), 303(2), 308(2), 352, 3(5B of the B.N.S., 2023.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 01.01.2026 at about 6 P.M. while he was going to his ancestral house, when he was intercepted by the petitioner along with four accused persons and the petitioner pointed a pistol at him and demanded extortion, the informant out of fear did not oppose and the petitioner took out Rs.7000/- from his pocket and also snatched his chain worth Rs.1,50,000/- and assaulted him and threatened not to lodge a case.



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 from perusal of the FIR, it would manifest that the date of occurrence is 01.01.2026 and the FIR came to be instituted on 08.01.2026 i.e. after a delay of 7 days, which casts an aspersion on the case of the prosecution. It is also submitted that police during the course of investigation gave notice under section 35(3) BNSS to the petitioner and the petitioner during the course of investigation cooperated with the police and the police never felt the need of arresting the petitioner. It is next submitted that even charge sheet bearing no.149 of 2026 dated 26.03.2026 came to be submitted under the minor sections of the BNS, carrying punishment of less than 7 years but then the learned trial court took cognizance. It is further submitted that when police during the course of investigation never felt the need of arresting the petitioner, whether it would be prudent for the court to send the petitioner to jail. It is also submitted that there is a dispute in between informant and the petitioner relating to land.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 Benipatti P.S. Case No.08 of 2026, subject to the conditions as laid down under Section 482(2) B.N.S.S.

(Satyavrat Verma, J)

amit/-

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

