

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44009 of 2026

Arising Out of PS. Case No.-1380 Year-2022 Thana- PHULWARISHARIF District- Patna

1. Dhiraj Kumar @ Dhiraj Prasad Son of Late Laxmi Prasad Soni R/o- Srinagar PS -Masaudhi PO- Masaudhi Sub P.O. Distt- Patna
2. Amar Pasad Soni Son of Late Laxmi Prasad Soni R/o- Srinagar PS -Masaudhi PO- Masaudhi Sub P.O. Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-07-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest in connection with Phulwari Sharif P.S. Case No. 1380 of 2022, registered under Section 395 of the Indian Penal Code.

3. The prosecution case, in short, is that six unknown persons entered into the shop of the informant and looted an amount of Rs. 1,50,000/- and some jewellery.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Learned counsel for the petitioners also submits that the petitioners are not named in the FIR. Name of the



petitioners have transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. The petitioners have got two criminal antecedents. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 15.05.2024 passed in Cr. Misc. No. 37293 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners and submits that the looted articles have been recovered from the house of the petitioners. Hence, the petitioners do not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioners.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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