

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47172 of 2026

Arising Out of PS. Case No.-255 Year-2026 Thana- SULTANGANJ District- Bhagalpur

1. Ankit Kumar @ Ankit Yadav Son of Ram Dhani Yadav Resident of Shyambag, P.S.- Sultanganj, District- Bhagalpur
2. Manish Kumar Son of Ram Dhani Yadav Resident of Shyambag, P.S.- Sultanganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhumay Madhup

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-07-2026 1. The case was mentioned yesterday for taking it out of turn on the ground that petitioner no. 1 has to appear in an examination of Assistant Loco Pilot (ALP) CBT-II Exam to be held on 28.07.2026 i.e. today, hence the case has been listed out of turn.
2. Heard learned counsel for the petitioners and learned A.P.P. for the State.
3. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 2, namely, Manish Kumar who was arrested during pendency of the same.
4. Permission is accorded.



5. Accordingly, the anticipatory bail application with respect to petitioner no. 2 is dismissed as withdrawn.

6. The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 331(7), 118(2), 109, 103(1) and 61(2) of the BNS as well as Section 27 of the Arms Act.

7. Learned counsel appearing on behalf of the petitioners submits that petitioner no. 1, namely, Ankit Kumar @ Ankit Yadav has antecedent of one case and the informant alleges that on getting information about firing by 5-6 criminals at the office of Nagar Parishad, Sultanganj causing firearm injury to the Chairman of Nagar Parishad the informant reached the place of occurrence and found the Chairman and Executive Officer of the Nagar Parishad lying in pool of blood. Both the injured were taken to the hospital where the Executive Officer was declared dead and the Chairman was referred to a higher centre, thereafter the CCTV footage was examined and the assailants were identified as Ramdhani, Deepak and Pinku.

8. Learned counsel on behalf of the petitioner no. 1 submits that from perusal of the allegation as alleged in the FIR, it would manifest petitioner no. 1 is not named in the FIR, it is further submitted that petitioner no. 1 being son of Ramdhani



Yadav, a dreaded criminal, came to be implicated in the instant case, it is also submitted that not only the petitioner no. 1 but his entire family members including his mother and brother have been implicated in the instant case, it is next submitted that the FIR does not even remotely suggest that in the CCTV footage the petitioner was present at the place of occurrence when the occurrence took place. It is further submitted that during the course of investigation also nothing transpired connecting the petitioner no. 1 with the offence though witnesses in their statement recorded under Section 183 BNSS have stated that it was mother of the petitioner no. 1 who had earlier extended threat to the deceased Chairman.

9. Learned counsel appearing on behalf of the petitioner no. 1 further submits that petitioner no. 1 has been issued an e-call letter by the Railway Recruitment Board for the Assistant Loco Pilot (ALP) CBT-II Exam to be held on 28.07.2026, it is next submitted that exam commenced from 7:00 a.m. as such the petitioner no. 1 could not appear but then petitioner no. 1 is a student and is preparing for different exams and if privilege of anticipatory bail is not granted and the petitioner no. 1 is sent to judicial custody in the nature of allegation as alleged his entire career would get jeopardized and



chances are bright that he may come in contact with the hardened criminals. It is also submitted that if the privilege of anticipatory bail is granted to the petitioner no. 1, the petitioner no. 1 will not abscond rather will cooperate in the investigation to prove his innocence.

10. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no. 1, namely, Ankit Kumar @ Ankit Yadav.

11. Considering the submissions made by the learned counsel appearing on behalf of the petitioner no. 1 and taking into consideration the fact that petitioner no. 1 is a student and on account of implication in the instant case missed his aforesaid exam, let the petitioner no. 1, 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. 25,000/- (Rupees Twenty-five 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 Sultanganj P.S. Case No. 255 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S. with a condition that one of the bailors of the petitioner no. 1 shall be his aunt (bua), namely,



Sanju Devi.

12. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner no. 1, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner no. 1.

(Satyavrat Verma, J)

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