

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73454 of 2025

Arising Out of PS. Case No.-77 Year-2022 Thana- GHOSI District- Jehanabad

Shankar Dayal Kumar@Bangat Sharma@Shankar Dayal @ Shankar Dayal
Sharma@Bangar Sharma@ Bangat Son of Late Ramashish Singh Resident of
Village- Sonawan PS -Ghosi District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 11-02-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Ghosi P.S. Case No. 77 of 2022, registered for the offences
punishable under Sections 384, 379, 325, 323, 341, 504 and
506/34 of the Indian Penal Code.

3. This is the second attempt made on behalf of the
petitioner, as earlier the prayer for pre-arrest bail of the
petitioner came to be negated by a Bench of this Court on
27.03.2023 in Cr. Misc. No. 73712 of 2022. Aggrieved, the
petitioner preferred Special Leave to Appeal (Crl.) No. 8645 of
2023 and the Hon'ble Supreme Court having taken note of the
allegation and the materials available on record directed the



petitioner to ensure his appearance before the Investigating Officer and also to surrender his mobile phone for examination/verification. Further the State of Bihar has filed a counter affidavit before the Hon'ble Supreme Court stating therein that the appellant-petitioner herein had submitted his mobile phone and examination/verification of the mobile phone was undertaken. However, the allegation against the appellant-petitioner have been found to be untrue and charge-sheet has been submitted only against two of the persons excluding the petitioner.

4. Referring to the aforesaid facts, it is submitted that since at that point of time, the petitioner was not sent up for trial and, therefore, in the aforesaid background the appeal came to be disposed off. However, after disposal of the aforementioned criminal appeal, the learned jurisdictional Court differing with the final report has taken cognizance of the offences alleged even against the petitioner. Hence, the present application for grant of anticipatory bail in changed circumstances.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that once the prayer for bail of the petitioner stood rejected on earlier occasion, the second anticipatory bail is not maintainable.

6. Having considered the submissions advanced by



learned Advocate for the respective parties and taking note of the fact that the present anticipatory bail has been filed in a changed circumstances, as initially during the course of investigation, no materials have been collected against the petitioner suggesting his complicity, resulting into submissions of final report and the petitioner was not even sent up for trial, however, differing with the final report, the learned jurisdictional Court has taken cognizance for the offences alleged, this Court finds that it is a fit case for anticipatory bail; let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Ghosi P.S. Case No. 77 of 2022, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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