

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76738 of 2025

Arising Out of PS. Case No.-225 Year-2024 Thana- SATHI District- West Champaran

Himanshu Sharma S/O Sri Radheshyam Sharma Resident of village-
Bahuarwa, P.S.- Sathi, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma
For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2026 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The learned counsel for the petitioner submits that
petitioner apprehends his arrest in connection with Sathi P.S.
Case No. 225 of 2024 for the offences punishable under
Sections 137(2) and 140(3) of Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits earlier
petitioner had approached this Court seeking anticipatory bail
by filing Cr. Misc. No.23460 of 2025 and the same came to be
disposed of by an order dated 30.04.2025 with liberty to the
petitioner to file a representation before the concerned
Superintendent of Police/Investigating Officer, in terms of
Section 35 BNSS within a period of three weeks. It is submitted
that petitioner did not file any application in terms of the order



dated 30.04.2025 in Cr. Misc. No.23460 of 2025, for reasons best known. It is next submitted that during the course of investigation, it also transpired subsequently that the case was found true under Section 64 BNS.

4. Learned A.P.P. for the State opposes the instant anticipatory bail of the petitioner and submits that earlier when the FIR was instituted, the same was with respect to offences which carried punishment of seven years and less, as such, the petitioner was directed to represent before the concerned authority within a period of three weeks from 30.04.2025 but then petitioner instead of representing the authority within a period of three weeks from 30.04.2025, chose to ignore the order of this Court, and subsequently, during the course of investigation, it transpired that Section 64 BNS is made out. It is also submitted that had the petitioner filed a representation before the authority concerned in terms of order dated 30.04.2025, in Cr. Misc. No.23460 of 2025, the petitioner would have been given notice under Section 35(3) BNSS and if subsequently based on investigation, offence under Section 64 BNS is made out, in that event, the petitioner could have again moved this court seeking anticipatory bail, based on changed circumstance but then the petitioner at his leisure is moving. It is



also submitted that investigation in the case is continuing.

5. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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