

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78851 of 2025

Arising Out of PS. Case No.-370 Year-2017 Thana- HARNAUT District- Nalanda

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Ganesh Kumar @ Ganesh Yadav @ Ganesh Prasad Yadav S/o Laxmi Yadav
R/o Village- Chak Johara, P.S- Dhanarua, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-01-2026 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 395 and 412 of the Indian
Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
looting the informant while he was carrying pulse loaded on a truck
by unknown criminals 8-10 in number and they forcefully abducted
the informant and blind folded him and threw him in the field after
tying his hand.

4. Learned counsel for the petitioner submits that FIR was
against unknown and the name of the petitioner transpired in the
confessional statement of apprehended accused in police custody
which does not have any evidentiary value in the eye of law. It is
further submitted that petitioner was not even aware that he has been



implicated in the instant case based on the confessional statement.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that the case is of road robbery and the FIR was instituted in the year 2017 and the name of the petitioner transpired based on the confessional statement of apprehended accused. It is further submitted that the order impugned records that from other co-accused looted articles were also recovered. It is next submitted that investigation in the case against the petitioner is continuing and if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond or try to tamper with the evidence.

6. Considering the submissions made by the learned A.P.P. for the State and the fact that the case is of the year 2017, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Harnaut P.S. Case No. 370 of 2017 pending in the Court of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif/Successor Court.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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