

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87247 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- Patour District- Darbhanga

Ganesh Kumar @ Ganesh Sah S/o Chano Sah R/o Ward No. 9, Chaklokman,
P.S.- Dalsingsarai, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anurag Rishu, Advocate Mr. Mritunjay Kumar, Advocate
For the State	:	Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 19-03-2026 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Patour Police Station Case No. 85 of 2025, disclosing offences under Sections 303(2) and 334(2) of Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, as per the First Information Report, is that theft was committed in the informant's jewellery shop on 30.08.2025, during which certain jewellery items, details of which are mentioned in the FIR, were stolen and the entire incident was captured in the CCTV camera.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of confessional statement of co-accused Sanjeet Mukhiya. The petitioner is having no criminal antecedent.



5. Mr. Nawal Kishore Prasad, learned counsel for the State, referring to the case diary, submits that during investigation it has transpired that altogether 3–4 accused persons arrived at the place of occurrence during the night armed with *khanti* and other tools and started breaking the shutter of the shop. The accused persons had their faces covered, out of whom two entered the shop while the other two remained outside and collected the stolen articles. It has further been submitted in the confessional statement that a specific role has been attributed to the petitioner, stating that after committing the theft the stolen articles were sold to another jeweller, and the police have recovered the same from co-accused Sanjeet Mukhiya. It also appears from the confessional statement that on the date of occurrence theft was committed in two different shops with the involvement of a history-sheeter, namely Baba @ Madan Mukhiya.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that in the confessional statement the specific role has been assigned to the petitioner, which may form the basis for further investigation by the police and the investigation of the case is still going on, I am not inclined to



grant the petitioner the privilege of anticipatory bail.

6. Accordingly, the prayer for anticipatory bail is rejected.

(Anil Kumar Sinha, J)

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