

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91382 of 2025

Arising Out of PS. Case No.-328 Year-2024 Thana- BHAGWANPUR District- Vaishali

Ajeet Kumar Son of Ram Pravesh Prasad Resident of Village - Madanpur,
Bajrabad, P.S.- Ekangarsarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bhagwanpur P.S. Case No.328 of 2024, registered for the offence under Sections 310(5), 310(6), 3(5) of the Bharatiya Nyaya Sanhita and Sections 25(1-B)(a), 26 and 35 of the Arms.

3. As per prosecution case, on 27.11.2024 the informant got information that in the mango orchard at Godhiya Chaman near N.H.22 some miscreants were making plan to commit crime of vehicle loot. On such information, the informant along with police team reached there. On seeing the police vehicle some persons started to flee, but with the help of police force, three persons were apprehended and two persons succeeded to escape away. On interrogation, the apprehended persons disclosed their name as Ramesh Kumar, Kundan Kumar



and Manikant Kumar. They also disclosed the name of the persons who escaped away as Ajit Kumar and Dharmendra Kumar. Thereafter search of apprehended persons was made. From the waist of apprehended accused Ramesh Kumar one loaded country made pistol with one live cartridge and from his pocket one live cartridge and Rs.25,000/- cash were recovered. From the waist of accused Kundan Kumar one loaded country made pistol with one live cartridge and one mobile from his pocket were recovered. From the pocket of accused Manikant Kumar @ Ganesh Kumar one live cartridge and one mobile were recovered. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner was not apprehended from the alleged place of occurrence and the FIR itself does not attributed any specific overt act or recovery against the petitioner. Learned counsel for the petitioner further submits that only on the basis of confessional statement of co-accused the petitioner has been implicated in this case. Further submits that the other co-accused persons have already been granted bail by the learned court below and the petitioner stands on an identical footing.

5. The learned APP opposes the anticipatory bail application.



6. Considering the fact that there is serious allegation against the petitioner that he had assembled with other co-accused persons for the purpose of committing crime, although the petitioner was not arrested on the spot but he had fled away after seeing the police, his name was disclosed by co-accused persons who were arrested on the spot with illegal arms and also considering the fact that para-52 of the case diary shows that that the petitioner has criminal antecedent of one case ie. Ekangar Sarai (Nalanda) P.S. Case No.12 of 2016 under Section 399, 401 and 402 of IPC and Section 25(1-b)a, 26 and 35 of Arms Act, which was concealed by the petitioner in the anticipatory bail application filed before the court below, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the anticipatory bail application is rejected.

(Alok Kumar Sinha, J)

Prakash Narayan

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