

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25725 of 2026**

Arising Out of PS. Case No.-116 Year-2023 Thana- SHASTRINAGAR District- Patna

1. Saurav Kumar @ Saurav S/O Alok Kumar Singh R/O Village- Manjhopur, Post- Parauna, P.S. Taraiya, District Saran, Bihar, Pin - 841424.
2. Shivam Kumar @ Maxwell Son of Alok Kumar Singh R/O Village- Manjhopur, Post- Parauna, P.S. Taraiya, District Saran, Bihar, Pin - 841424.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                                                             |
|----------------------------|-----------------------------------------------------------------------------|
| For the Petitioner/s :     | Sri Vindhya Keshri Kumar, Sr. Advocate<br>Sri Ravi Shankar Pathak, Advocate |
| For the Opposite Party/s : | Sri Chandra Bhushan Prasad, A.P.P.                                          |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      14-08-2026                      1. Heard Sri Vindhya Keshri Kumar, learned Sr. Counsel for the petitioners and Sri Chandra Bhushan Prasad, learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code as well as Section 27 of the Arms Act.
3. Learned Senior Counsel for the petitioners submits that this is the second anticipatory bail application of the petitioners. It is further submitted that petitioners had earlier moved this Court seeking anticipatory bail by filing Cr. Misc. No. 83768 of 2025 and the same came to be rejected by an order dated 17.02.2026. It is next submitted that Anand Kumar and Abhijeet Raj @ Abhijeet Kumar, who are named in the FIR, have been



granted the privilege of anticipatory bail by this Court but then the anticipatory bail application of the petitioners and confessional statement in police custody does not have any evidentiary value, stands rejected, though they are not named in the FIR on which Sri Chandra Bhushan Prasad, learned A.P.P. submits that Abhijeet Raj @ Abhijeet Kumar, who is named accused in the FIR, was granted the privilege of anticipatory bail for the reason recorded in the order dated 18.03.2026 in Cr. Misc. No. 14308 of 2026. It is also submitted that even Anand Kumar, who is named in the FIR, was also granted the privilege of anticipatory bail for reasons recorded in the order dated 11.07.2023 in Cr. Misc. No. 22117 of 2023. It is further submitted that as far as petitioners are concerned, though they are not named in the FIR but then their names transpired in the case based on the confessional statement of apprehended accused, who were arrested, during the course of investigation by the police, finding their involvement in the occurrence of killing of the grandson of the informant. It is next submitted that with respect to Abhijeet Raj @ Abhijeet Kumar, the order dated 18.03.2026 records that he is a resident of Bihta whereas in the FIR, the accused, namely, Abhijeet Kumar was a resident of Shivpuri and the police without investigating the said aspect in a mechanical manner was after him and the said facts stand recorded in detail in the order dated



18.03.2026. It is also submitted that Anand Kumar, who was granted the privilege of anticipatory bail, was granted the said privilege for the reason that the apprehended accused, whose involvement was found in the occurrence, had not named him, it is next submitted that the informant of the case is not an eyewitness to the occurrence, as such, Abhijeet Raj @ Abhijeet Kumar and Anand Kumar came to be implicated in the FIR based on suspicion.

4. Sri Chandra Bhushan Prasad, learned A.P.P. for the State further submits that since name of the petitioners transpired based in the confessional statement of apprehended accused and the case is of killing of the grandson of the informant, as such, the case requires investigation and interrogation of the accused persons. It is further submitted that no doubt, confessional statement in police custody does not have any evidentiary value in the eye of law but then for the purposes of investigation and interrogation the police can use the confessional statement for corroboration. It is next submitted that from perusal of the second anticipatory bail application, it would manifest that the same has been filed not on grounds of changed circumstances but the order rejecting the anticipatory bail application is being assailed on merits. It is, thus, submitted that if petitioners were aggrieved by the order rejecting their anticipatory bail application, in that event,



they could have moved before the Hon'ble Supreme Court. It is also submitted that the case is of the year 2023 and process under Section 82 Cr.P.C. has been issued against the petitioner and while rejecting the anticipatory bail application of the petitioner by order dated 17.02.2026 in Cr. Misc. No. 83768 of 2025, the fact that process under Section 82 Cr.P.C. has been issued was also taken into consideration.

5. After hearing the learned counsel for the parties, the Court is in complete agreement with the submissions made by the learned A.P.P. for the State and, thus, the second anticipatory bail application is dismissed in connection with Shastrinagar P.S. Case No. 116 of 2023 pending in the Court of learned Additional Chief Judicial Magistrate-IX, Patna/Successor Court with a cost of Rs.10,000/- which the petitioners or the deponent of the case shall deposit with the Legal Aid of the Patna High Court.

**(Satyavrat Verma, J)**

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