

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8581 of 2025

Arising Out of PS. Case No.-399 Year-2024 Thana- RAJNAGAR District- Madhubani

Bhola Kumar @ Vikash Son of Shatrudhan Sahu Resident of Near Brahm-
Asthan, Basuara, P.S. - Rahika, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13682 of 2025

Arising Out of PS. Case No.-399 Year-2024 Thana- RAJNAGAR District- Madhubani

Shankar Kumar @ Shankar Choudhary S/O Bhola Chaudhary R/O Vill.-
Chakdah, P.S.- Madhubani town, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13979 of 2025

Arising Out of PS. Case No.-399 Year-2024 Thana- RAJNAGAR District- Madhubani

Triloki Nath Suman @ Mohan Kumar @ Tirloki Nath Suman @ Mohan
Kumar S/o- Ram Shankar Das @ Ram Kishon Das R/o village -Chakdah ,
P.s.- Rajnagar , District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 14016 of 2025

Arising Out of PS. Case No.-399 Year-2024 Thana- RAJNAGAR District- Madhubani

Pankaj Kumar @ Pankaj Kumar Chaudhary @ Bala Son of Bhogi Chaudhary
Resident of Village - Chakdah, P.S. - Rajnagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar



... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8581 of 2025)

For the Petitioner/s : Mr. Ravindra Kumar Singh, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 13682 of 2025)

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

(In CRIMINAL MISCELLANEOUS No. 13979 of 2025)

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 14016 of 2025)

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-07-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rajnagar P.S. Case No. 399 of 2024, F.I.R. dated 16.10.2024 for the offences punishable under Sections 126(2), 308(3), 303(2), 351(2), 352, 3(5) and 115(2) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that the petitioners along with other co-accused persons having variously armed with pistol and other weapons, arrived at her house and attacked, abused and misbehaved with her and also tried to kidnap her son. It is further alleged that the accused persons pointed pistol towards her husband and snatched Rs.5000/- from him and also demanded Rs.1 lakh as ransom



from them.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. He further submits that the petitioners are not named in the FIR and their name transpired on the basis of confessional statement of apprehended co-accused persons, Ajit Kumar and Daya Kumar. It appears from the FIR that date of occurrence is 14.10.2024 but the present FIR instituted on 16.10.2024 i.e. after delay of two days without giving any reason of delay and except the confessional statement of apprehended person, no other cogent material has come during investigation against the petitioners which suggest the involvement of the petitioners in the present occurrence and similarly situated co-accused person, namely, Sunil Kumar @ Sunil Thakur has been granted the privilege of anticipatory bail by co-ordinate Bench of this Court vide order dated 19.04.2025 in Cr. Misc No. 89251 of 2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners . He further submits that petitioner no.1, namely, Bhola Kumar @ Vikash carries four criminal antecedents, petitioner no.2, namely, Shankar Kumar @ Shankar Choudhary has clean



antecedent, petitioner no.3, namely, Triloki Nath Suman @ Mohan Kumar @ Tirloki Nath Suman @ Mohan Kumar carries one criminal antecedent in which he is on bail and petitioner no.4, namely, Pankaj Kumar @ Pankaj Kumar Chaudhary @ Bala carries one criminal antecedent.

6. Considering the aforesaid facts and circumstances, petitioners are not named in the FIR and their name transpired on the basis of confessional statement of apprehended co-accused persons and similarly situated co-accused person has been granted the privilege of anticipatory bail by co-ordinate Bench of this Court, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate (ACJM)-I, Madhubani in connection with Rajnagar P.S. Case No. 399 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

- i. Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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