

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13686 of 2025**

Arising Out of PS. Case No.-545 Year-2022 Thana- MOTIHARI TOWN District- East  
Champaran

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Ankit Kumar @ Ankit Raj S/o- Ravindra Nath Rai Village- Ratanmala Ps-  
Manjhauriya Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                            |   |                            |
|----------------------------|---|----------------------------|
| For the Petitioner/s       | : | Mr. Anshul, Sr. Advocate   |
|                            |   | Mr. Rakesh Kumar, Advocate |
| For the Opposite Party/s : |   | Mr. Ramesh Chandra, APP    |

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      27-06-2025                      Heard Mr. Anshul, learned senior counsel for the  
  
petitioner and Mr. Ramesh Chandra, learned Additional Public  
  
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
06.08.2022 in connection with S. Tr. No. 1271 of 2022 arising  
out of Motihari P.S. Case No. 545 of 2022, F.I.R. dated  
06.08.2022 for the offences punishable under Sections 302 and  
34 of the Indian Penal Code.

3. According to prosecution case, informant's brother  
who was studying at new chandamari, has been killed by four  
named and four unknown persons.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the informant is not the eye witness of the alleged occurrence. He further submits that from perusal of the FIR it appears that although the petitioner is named in the FIR but there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused person including this petitioner. He further submits that the police have recovered knife from the possession of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Rishu Kumar Singh @ Muskan Singh has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 14.07.2023 passed in Cr. Misc. No. 29782 of 2023 and another co-accused, namely, Kunal Kishore @ Kunal Singh has also been granted anticipatory bail by this Court vide order dated 14.08.2024 passed in Cr. Misc. No. 46135 of 2024. The petitioner is in custody since 06.08.2022.

5. A report was available on record with respect to the stage of trial which suggest that the trial has began and the witnesses have been examined including the I.O.

6. Learned counsel for the petitioner submits that although the trial has began but out of 14 charge sheet witnesses



only 2 witnesses have been examined and the trial is not likely to be concluded in the near future. The petitioner is in custody since 06.08.2022.

7. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and apart from that knife has been recovered from the possession of the petitioner. He further submits that the petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in one case.

8. Considering the aforesaid facts and circumstances that the similarly situated co-accused persons have been granted anticipatory bail, report of the learned Trial Court as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-IV, East Champaran, Motihari in connection with S. Tr. No. 1271 of 2022 arising out of Motihari P.S. Case No. 545 of 2022, subject to the following conditions:-

- i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)**

Vanisha/-

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