

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32055 of 2025**

Arising out of PS. Case No.-5 Year-2025 Thana- MAKER District- Saran

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Anil Kumar @ Anil Kumar Singh S/o Late Lal Babu Singh R/o Village-
Ganauura Naya Tola, P.S. - Marhaura, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s: Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Maker
P.S. Case No. 05 of 2025 dated 10.01.2025 instituted for the of-
fences under Sections 126(2), 127(2), 115(2), 308(2), 308(5)
and 3(5) of the Bhartiya Nagarik Suraksha Sanhita. He has three
criminal antecedents, i.e., (i) Marhaura P.S. Case No. 49 of 2016
under Section 379 of the IPC (ii) Marhaura P.S. Case No. 519 of
2018 under Section 414 of the Indian Penal Code and (iii)
Dariyapur P.S. Case No. 641 of 2022 under Sections 341, 342,
323, 384 and 386/34 IPC.

3. The prosecution case is to the effect that the infor-
mant has alleged that while he was going on his vehicle he was



overtaken by the vehicle of Maker Police Station and in the name of search for liquor, the car of the informant was taken away and the car was checked and it has been alleged that the SHO of the Maker Police Station namely Ravi Ranjan Kumar @ Ravi ranjan Kumar and his driver namely Anil Kumar (Petitioner) were in the vehicle and they were in uniform and forcibly took two bags containing Rs. 64,00,000/- (Sixty Four Lakhs) out of which one bag containing Rs. 32, 00,000/- (Thirty Two Lakhs) was returned and another bag is stated to have been taken away by the driver namely Anil Kumar (Petitioner) and it was kept in the vehicle of the police station.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel for the petitioner further submits that the petitioner was made an escape-goat as recovery of such huge amount of money from under the bed of the petitioner, was improbable as the SHO of the Maker Police Station was along with the petitioner. It has further been submitted by learned counsel for the petitioner that the seizure-list was prepared showing the recovery from under the bed of the petitioner in order to safeguard the interest of the co-accused namely Ravi Ranjan Kumar @ Raviranjn Kumar, the SHO of Maker Police Station. It is



next submitted by learned counsel for the petitioner that similarly situated co-accused namely Ravi Ranjan Kumar @ Ravi-ranjan Kumar has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 11.04.2025 passed in Cr. Misc. No. 16142 of 2025. It is lastly submitted by learned counsel for the petitioner that though the petitioner has three criminal antecedents he is in custody since 10.02.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that Rs. 32,00,000/- (Thirty Two Lakhs) was recovered from under the bed of the driver Anil Kumar (Petitioner).

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that there is an allegation against the petitioner as well as the SHO, Maker P.S. to have taken away the bag containing Rs. 32,00,000/- and the said co-accused person has been granted bail by a Co-ordinate Bench of this Court as also the petitioner is in custody since 10.02.2025, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Miss Nupur Priyadarshi, Judicial Magistrate, 1st



Class, Saran at Chapra (or his successor) in connection with
Maker P.S. Case No. 05 of 2025, subject to the the following
conditions:-

(i) One of the bailors will be a
close relative of the petitioner.

(ii) The petitioner will remain
present on each and every date fixed by the
Court below, if so required by the learned Trial
Court.

(iii) In case of absence on two con-
secutive dates or in violation of the terms of the
bail, the bail bond of the petitioner will be liable
to be canceled by the Court concerned.

(iv) And further condition that the
court below shall verify the criminal antecedent
of the petitioner except the above-mentioned
three cases and in case at any stage it is found
that the petitioner has concealed his criminal an-
tecedent except these three cases, the court be-
low shall take step for cancellation of bail bond
of the petitioner. However, the acceptance of
bail bonds in terms of the above-mentioned or-



der shall not be delayed for purpose of the same
or in the name of verification.

(Sourendra Pandey, J)

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