

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44141 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- KATIHAR MUFFASIL District- Katihar

Saurav Kumar @ Saurav Kumar Suman S/o- Jay Narayan Mandal R/o-
Jayrampur, ward No- 10 P S-Murliganj District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rishup

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 08-09-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 319(2),
318(4), 308(2), 308(3), 317(5) and 317(4) of the Bharatiya
Nyaya Sanhita.

3. Learned counsel for the petitioner submits that
petitioner is a police constable and has antecedent of one case
but then the said case also has been instituted with respect to the
instant FIR, i.e., for the same allegation two FIRs have been
instituted and the present is the first FIR. It is next submitted
that petitioner has been granted the privilege of anticipatory bail
in the second FIR, which was instituted against him. It is further
submitted that informant alleges that on 11-3-2025 at around



11.30 pm, he received confidential information that Raja Kumar alias Rajesh Kumar with the help of the petitioner, used stolen mobile data to extort money by posing as a police officer and the said Raja Kumar used to return the stolen phones to their owners for Rs. 5,000/- each falsely claiming that it was on behalf of Katihar Mufassil P.S.

4. The learned counsel for the petitioner submits that in sum and substance the allegation is that if anyone's mobile was stolen, a *Sanha* was instituted in the P.S. and the petitioner being a constable used to inform Raja about the stolen mobile for which *Sanha* had been instituted and Raja used to activate his network for knowing the location of the stolen mobile and after getting the location, he used to call on the number and used to threaten the person using the mobile that it is a stolen mobile and the same should be returned or else he would be implicated in a criminal case based on which the person used to return the mobile and thereafter Raja used to return the said mobile to the owner who had instituted the *Sanha*.

5. The learned counsel for the petitioner submits that during the course of investigation, nothing has come which could even remotely connect the petitioner with Raja. It is further submitted that the petitioner was posted at Purnia and



during the course of investigation, it transpired that Raja is of Katihar but then no material surfaced during the course of investigation connecting the two. It is next submitted that the petitioner has been suspended and a departmental proceeding has been initiated. It is also submitted that though during the course of investigation, it transpired that Raja used to talk on a particular number on WhatsApp but then the police till date has not been able to identify that on whose WhatsApp, Raja used to message and chat. It is asserted and submitted that the said mobile does not belong to the petitioner. It is further submitted that the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muffasil P.S. Case



No. 69 of 2025 subject to the conditions as laid down under
Section 482 (2) of the BNSS.

8. However, it is made clear that in the event, if the
Investigating Officer of the case files an application before the
learned trial court bringing to its notice that the petitioner,
despite giving assurance to this Court, is not cooperating in the
investigation, in that event, the learned trial court shall be at
liberty to cancel the bail bonds of the petitioner.

9. Let a copy of this order be sent to the concerned
police station through the learned Trial Court.

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

