

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46462 of 2025

Arising Out of PS. Case No.-194 Year-2025 Thana- KHAJANCHI HAT District- Purnia

1. Anuj Kumar S/o Rajendra Prasad Yadav R/o village- Baluatri Majhauri, P.S.- Sirdalla, District- Nawada at present posted as Reserve Guard at K.Hat Police Station, District-Purnea
2. Yogendra Paswan S/o Chandradeep Paswan R/o village- Nadi, Ward No. 5, P.S. Karpi, District- Arwal at present posted as Reserve Guard at K.Hat Police Station, District-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Natraj Verma, Adv

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 31-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody in connection with K. Hat P.S Case No. 194 of 2025 registered for the offences punishable under Sections 126(2), 127(2), 115(2), 308(2), 308(5) and 3(5) of the Indian Penal Code.

3. As per allegation in the FIR, informant was carrying money in his car for amounting to Rs. 1,50,000/- for treatment of his elder sister as she was admitted in the hospital for Galbladder stone. As petitioners were police official and were engaged in patrolling and when they came to know that



informant was carrying money with him, they snatched Rs. 1,10,000/- and threatened him that if he will protest they will implicate him in false case.

4. Learned counsel for the petitioners submit that petitioners have falsely been implicated in this case. He next submits that there is no allegation of any overt act against the petitioners rather they were only standing there as they were on duty under the A.S.I (Arun Kumar Jha) along with the driver of the patrolling vehicle were indulged in illegal activities. He further submits that petitioners are constables in Bihar Military Police and were on deputation in the K.Hat Police Station and since there were deputed with the A.S.I. therefore, they could not object any act of their superior and were no knowing as to what is going on. Later on petitioners went to the informant and compromised in this case. It is also submitted that petitioner is in judicial custody since 14.05.2025 having clean antecedent as mentioned in paragraph no. 3 oof the bail petition. He further submits that other co-accused has been granted bail vide Cr. Misc. No. 44924 of 2025.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioners and submits that the police persons who are responsible for safety of people and to



maintain law and order, if indulge themselves in criminal act, it is threat to law and order and safety to citizen, so petitioner does no deserve bail.

6. On perusal of the FIR, impugned order dated 10.06.2025, it appears that petitioners were constables and was working under the A.S.I (Arun Kumar Jha) who has committed this crime has already been granted bail by the co-ordinate Bench of this Court Vide Cr. Misc. No. 44924 of 2025 and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Hat P.S Case No. 194 of 2025 subject to the condition that one of the bailors should be the Government Servant.

(Ramesh Chand Malviya, J)

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