

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47345 of 2025

Arising Out of PS. Case No.-45 Year-2023 Thana- KARAKAT District- Rohtas

1. Rajeev Kumar @ Rajiv Kumar son of Ram Kishor Singh Village -Sukahara PS- Karakat Gorari District- Rohtas
2. Sunil Singh @ Sunil Kumar Singh son of Lal Mohar Mehta Village- Itadhiya tola, Ps- Karakat (gorari), Dist- Rohtas
3. Madan Kumar @ Madan Kumar Singh son of Kameshwar Mehta village- Tenua, Ps- Dehri, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nagendra Upadhyay, Advocate
For the State	:	Mr.Nagendra Prasad, APP
For the Informant	:	Mr.Mithilesh Kumar Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-09-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 201, 120(B), 323, 504 and 506 of the IPC.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioners are innocent and thus submitted final form exonerating the petitioners of allegations as



alleged in the F.I.R. but then the learned trial court differing with the police report, took cognizance, as such, petitioners apprehend their arrest. It is further submitted that once an investigating agency after a threadbare investigation came to a considered conclusion that petitioners are innocent whether it would be prudent for the court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioners of the allegation.

4. Learned A.P.P. and learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner but they are not in a position to revert the submissions of the learned counsel appearing on behalf of the petitioners that police after investigation submitted final form exonerating the petitioners of the allegations as alleged in the F.I.R. Learned counsel appearing on behalf of the informant next submits that in the event the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which, the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the trial to prove their innocence.

5. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their 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. 25,000/- (Rupees Twenty Five Thousand) each 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 Karakat P.S. Case No. 45 of 2023, subject to the conditions as laid down under Section 482 (2) of BNSS.

6. However, it is made clear that if the learned trial court comes to a conclusion that petitioners after their release are trying to delay the framing of charge or after framing of charge are trying to delay the trial in any manner, in both the conditions, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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