

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48024 of 2025**

Arising Out of PS. Case No.-399 Year-2024 Thana- RAJNAGAR District- Madhubani

Harsh Vardhan Kumar @ Kumar Harsh Vardhan Son of Amit Karn @ Amit Kumar Karn Resident of village - Jaldhari Chowk, Police Station - Town (Sadar), District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate  
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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

2      04-08-2025                      Heard Mr. Sanjay Kumar Jha, learned counsel for the petitioner and Mr. Ram Sumiran Rai, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Raj Nagar P.S. Case No. 399 of 2024, F.I.R. dated 16.10.2024 for the offences punishable under Sections 126(2), 308(3), 303(2), 351(2), 352, 3(5), 115(2) of the Bhartiya Nyay Sanhita, 2023 and under Section 25 of the Arms Act.

3. According to prosecution case, the informant alleged that the petitioners along with other co-accused persons having variously armed with pistol and other weapons, arrived at her house and attacked, abused and misbehaved with her and also tried to kidnap her son. It is further alleged that the accused persons pointed pistol towards her husband and snatched



Rs.5000/- from him and also demanded Rs.1 lakh as ransom from them.

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 petitioner is not named in the FIR and his name transpired on the basis of confessional statement of co-accused person, namely, Daya Kumar @ Dayanand Choudhary. It appears from the FIR itself that informant did not disclose the name of the petitioner and except the confessional statement of co-accused person, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that similarly situated co-accused person, namely, Sunil Kumar @ Sunil Thakur, who is the main culprit in the present case and also neighbour of the informant has been granted privilege of anticipatory bail vide order dated 19.04.2025 in Cr.Misc.No.89251 of 2025 by the co-ordinate Bench of this Court and Bhola Kumar @ Vikash, Shankar Kumar @ Shankar Choudhary, Triloki Nath Suman @Mohan Kumar @ Tirloki Nath Suman @ Mohan Kumar and Pankaj Kumar @ Pankaj Kumar Chaudhary @ Bala have been granted privilege of anticipatory bail by this Court vide order dated



28.07.2025 in Cr. Misc. No. 8581 of 2025, Cr.Misc. No. 13682 of 2025, Cr.Misc.No. 13979 of 2025 and Cr.Misc.No.14016 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner along with other accused persons have committed the present crime in question and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, petitioner is not named in the FIR and his name transpired on the basis of confessional statement of co-accused person and similarly situated co-accused persons have been granted the privilege of anticipatory bail by the co-ordinate Bench of this Court or this Court, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 A.C.J.M. 1<sup>st</sup> Madhubani in connection with Raj Nagar P.S. Case No. 399 of 2024, subject to the conditions as



laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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