

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55744 of 2025

Arising Out of PS. Case No.-278 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Rajiv Kumar S/o Jawaharlal Prasad @ Jawaharlal Resident of Village-
Pakariyabar, PS- Udwanthnagar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Udwanthnagar P.S. Case No. 278 of 2025 registered for the offences punishable under Sections 115(2), 126(2), 132, 125(a), 125(b), 109, 303(2), 352, 351(2), 351(3), 3(5) of BNS.

3. As per prosecution case, the informant alongwith police officials, during the course of vehicle checking, intercepted two persons, namely, Shivshankar Kumar and Rajiv Kumar (petitioner) who were boarded on one motorcycle and demanded to show the documents of said motorcycle. It is alleged that accused persons called the



family members and others who came there and started scuffle with the police team. It is alleged that they assaulted the police officials by means of bricks, lathi and danda due to which informant sustained injury on middle finger of his left hand. It is alleged that other police officials also sustained injury in the alleged occurrence. It is alleged that informant and other police officials recorded the video of the alleged occurrence. It is further alleged that aforesaid persons forcibly snatched the motorcycle in question and fled away. It is further alleged that one person took away the key of police van from the hand of informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that no specific allegation has been attributed against the petitioner rather the allegation is general and omnibus in nature. He further submits that Shivshankar Kumar, Prem Shankar Yadav, Ravishankar Yadav and Ramashankar Singh @ Om Prakash Yadav have already been granted anticipatory bail by the Co-ordinate bench of this Court vide Cr. Misc. No. 53425 of 2025 and the case of present petitioner is identically same. Hence, petitioner also



deserves anticipatory bail. He Petitioner bears no criminal antecedent. It has been orally submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur at Ara or Concerned Court, Bhojpur at Ara in connection with Udwanthnagar P.S. Case No. 278 of 2025, subject to the conditions as laid down under Section 482 (2) of BNSS.

7. The application stands allowed.

8. However, it is made clear that 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 co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Alok Kumar Pandey, J)

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