

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59851 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- Amhara P.S. (I.I.T.A. Bihta) District- Patna

1. Sampat Kumar, S/o- Vishwanath Singh, Village- Dihri, P.S.- IIT Amhare, District- Patna.
2. Bishaikh Kumar, S/o- Ramnath Singh, Village- Dihri, P.S.- IIT Amhare, District- Patna.
3. Ram Nath Singh, S/o- Late Suryadev Singh, Village- Dihri, PS- IIT Amhare, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sarvan Kumar, Advocate
For the State : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-09-2025 At the outset learned Counsel for the Petitioner informs that the Petitioner No.2, Bishaikh Kumar has been arrested, and hence, the anticipatory bail on his behalf has become infructuous. Hence, he is seeking permission to withdraw the petition on behalf of the Petitioner No.2, Bishaikh Kumar.

2. Permission is accorded.

3. Accordingly, the application on behalf of Petitioner No.2, Bishaikh Kumar is dismissed as withdrawn.

4. Heard learned counsel for the Petitioner Nos. 1 & 3 and learned APP for the State.

5. The present petition has been filed on behalf of the



petitioners, apprehending their arrest, in connection with IIT Amahara PS. Case No.36 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109/3(5) of the B.N.S., 2023 and Section 37 (C) of the of the Bihar Prohibition and Excise Act.

6. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely and implicated in this case. He further submits that similarly situated co-accused, Kunal Kumar has been enlarged on anticipatory bail by a co-ordinate bench of this Court vide order dated. 25.06.2025, passed in Cr. Misc. No.36092 of 2025. He further submits that the main assailant is the co-accused, Amod Kumar @ Pawan Kumar.

7. It is also stated in paragraph no. 2 of the petition that no similar petition has earlier been filed by the petitioners either before this Court or before the Hon'ble Apex Court.

8. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

9. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

10. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, namely



Sampat Kumar and **Ram Nath Singh**, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with IIT Amahara PS. Case No.36 of 2025, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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