

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70802 of 2025

Arising Out of PS. Case No.-367 Year-2024 Thana- Kharagpur District- Munger

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Suman Jha @ Suman Kumar S/o- Sri Siyavar Jha @ Chhiyawar Jha R/o-
Rataitha Ps- Kharagpur Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection
with H. Kharagpur (Haveli Kharagpur) P.S. Case No. 367 of
2024 registered for the offences punishable under Section
309(4) of the B.N.S.

3. As per prosecution case, while the informant
was returning to his house through black coloured Pulsar
motorcycle, 3-4 unknown miscreants attacked on the informant
with lathi and rod and snatched away the motorcycle of the
informant.

4. Learned counsel for the petitioner submits that
petitioner is not named in the first information report and his
name has surfaced on the confessional statement of the co-



accused Rajesh Kumar @ Bhangiya. Except the confessional statement of the co-accused, there is nothing on the record to connect the petitioner with the alleged occurrence. It is submitted that petitioner bears no criminal antecedent, however, on the same set of occurrence, another F.I.R. bearing H.Khagarpur P.S. Case No. 368 of 2024 was lodged under section 309(4) of the B.N.S., in which petitioner has been granted bail vide order dated 08.05.2025 passed in Cr. Misc. No. 29455 of 2025, as contained in Annexure- P/1. It is submitted that co-accused Rajesh Kumar @ Bhagiya is co-villager of the petitioner. There is land dispute between the petitioner and the co-accused Rajesh Kumar @ Bhangiya and on account of the said land dispute petitioner has been falsely implicated in the present case. No incriminating article has been recovered from possession of the petitioner. It is submitted that petitioner is driving private vehicle out of the State but due to inimical terms petitioner has been implicated in the present case. It is further submitted that police has submitted final form against co-accused Rajesh Kumar @ Bhangiya showing that he is not involved in the present case and upon disclosure of said co-accused, petitioner's name has surfaced in the present case, and as such, disclosure of said co-accused has no meaning at all. In



the light of aforesaid facts, no offence is made out against the petitioner and petitioner deserves anticipatory bail. Learned counsel submits that petitioner is ready to co-operate in the investigation.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner. He submits that present occurrence is of serious nature and petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, except disclosure of co-accused there is nothing on record to connect the petitioner with the alleged occurrence, 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 arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st, Munger in connection with H. Kharagpur (Haveli Kharagpur) P.S. Case No. 367 of 2024, subject to the conditions as laid down under section 482(2) of the B.N.S.S.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the



learned trial Court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

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