

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6452 of 2026

Arising Out of PS. Case No.-455 Year-2025 Thana- RAFIGANJ District- Aurangabad

Chhotan Kumar S/O Pradip Singh R/O Vill.- Narchahi, P.O.- Barun, P.S.-
Mali, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Tiwari, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-02-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Rafiganj P.S. Case No. 455 of 2025 registered for the offence(s) under Section(s) 281, 304 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.). Section 317(2) of the B.N.S. was also added lateron.

3. The prosecution case is to the effect that the informant has alleged that while he was coming back after making collections from Rafiganj Branch, some miscreants came on a motorcycle and snatched away the bag containing Rs. 97070/-.

4. The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and during the course of



the investigation, his name has surfaced in the confessional statement of one co-accused. It has been submitted that no incriminating article has been recovered either from the conscious possession of the petitioner or from the house of the petitioner. It has further been submitted that on account of some personal dispute, the name of the petitioner has been inserted in the present case. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Rafiganj P.S. Case No. 455 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with



corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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