

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9719 of 2026

Arising Out of PS. Case No.-768 Year-2025 Thana- FATUA District- Patna

Rahul Kumar Sinha @ Ajit Singh S/O Thakur Sitaram Singh Resident of Village - Majlispur, P.S. - Mahnar, District Vaishali, Bihar. Presently residing at A/14, Anupam Jyoti Colony, East of Bahadurpur Colony, Sector- 8, B.H. Colony, P.S. -Sampatchak, Patna, Bihar- 800026.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shyamendra Dadhich @ Shayamechandra Dadhich S/o-Raghuveer Dadhich Presently Residing at Ultratech Cement Limited, Union Patliputra Cement Works, Shahjahanpur, Daniyawan, P.S.- Shahjahanpur, District- Patna, Bihar-800001.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Nivedita Nirvikar, Sr. Advocate Mr. Shashank Shekhar, Advocate
For the Opposite Party/s	:	Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 25-02-2026 Heard Ms. Nivedita Nirvikar, learned senior counsel assisted by Mr. Shashank Shekhar, learned counsel for the petitioner and Mr.Arun Kumar Pandey, learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Fatuha P.S. Case No. 768 of 2025 registered for the offences under Sections 109, 308(5) and 3(5) of the B.N.S. and under Section 27 of the Arms Act.

3. The prosecution case is to the effect that the informant has stated that the employees of the logistic



department were travelling from the factory to Patna in a bus and some unknown miscreants riding on motorcycle intercepted the bus and opened firing with intention to kill.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has transpired during course of investigation on mere suspicion. It has further been submitted that the petitioner had also participated in the investigation process and had appeared before the police and nothing has transpired towards petitioner during investigation and it has also been recorded by the learned trial court rejecting the bail application of the petitioner. It has next been submitted that no incriminating weapon or article was recovered from the possession of the petitioner and despite there being no evidence, still the court has gone to reject the prayer for bail on the ground that other co-accused have been granted regular bail. It has lastly been submitted that the petitioner carries clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks



from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Fatuha P.S. Case No. 768 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of 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.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

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

(Sourendra Pandey, J)

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