

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9851 of 2026**

Arising Out of PS. Case No.-232 Year-2025 Thana- BUXAR MUFFSIL District- Buxar

Rajendra Kumar Pandey @ Rajendra Pandey, Son of Prahalad Pandey,  
Resident of Village and Post - Sukarwaliya, P.S - Itarhi, District- Buxar  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                                                                          |
|----------------------------|------------------------------------------------------------------------------------------|
| For the Petitioner/s :     | Mr. Abhishek Ranjan, Advocate<br>Mr. Saket Kumar, Advocate<br>Mr. Rajesh Kumar, Advocate |
| For the Opposite Party/s : | Mr. Harendra Prasad, APP                                                                 |

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

4      21-05-2026                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through Virtual Mode.

2. The petitioner apprehends his arrest in connection with Buxar(Muffasil) P.S. Case No. 232/2025 dated 28.05.2025 registered for the offences punishable under Sections 103, 61(2) and 3(5) of the B.N.S. and Section 27(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant and his brother namely, Arjun Yadav were going on vehicle and it is alleged that three persons on motorcycle came there and started firing and the brother of the informant received three bullet injuries and he died on way to Varanasi.

4. The learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has transpired



during the course of investigation from the confession of the co-accused. It has further been submitted that even if the confessional statement of the co-accused is taken into account, though the same is not admissible in law, still, there is no allegation of specific act committed by the petitioner in the said crime and in fact, his name has surfaced to be among the persons who had sat together and decided to kill the brother of the informant. It has further been submitted that the petitioner has falsely been implicated and he has no concern whatsoever with the said crime. 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 anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees 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 Buxar(Muffasil) P.S. Case No. 232/2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-



(i) One of the bailors will be a close relative of the petitioner.

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

Gautam/Anjali

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