

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11456 of 2026

Arising Out of PS. Case No.-342 Year-2025 Thana- SASARAM MUFFSIL District- Rohtas

1. Nidhi Devi W/o- Ajay Kumar R/v- Daulatabad Ps-Mohammabad Mohammdabad Ghajipur, U.P.
2. Ajay Kumar S/o- Binod Ram @ Binod Nut R/v- Daulatabad Ps-Mohammabad Mohammdabad Ghajipur, U.P.
3. Manisha Devi W/o- Mohan Kumar @ Mohan Ram R/v- Jauhurabad, Chhak Janar Ps- Bareshar, Dist- Ghajipur, U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 01-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Sasaram (M) P.S. Case No. 342 of 2025 registered on 31.10.2025 for the offence punishable under sections 303(2), of the BNS and later on, sections 112, 317(2), 317(5) of the BNS was added.

3. As per the prosecution case, the wife of the informant has been deprived of a gold chain with a Radha-Krishna locket weighing about 12 grams while performing Chhath Puja at Veda Surya Mandir, Sasaram by some unknown miscreants. Accordingly, the FIR.



4. Learned counsel for the petitioners submits that the FIR is against unknown and the name of these petitioners have cropped up on the basis of confessional statement of a co-accused, namely, Sangam Kumari @ Bijul, who along with two other similarly situated co-accused persons, have already been granted bail by the co-ordinate Bench of this Court on 26.02.2026 *vide* Cr. Misc. No. 9197 of 2026. It has next been submitted that except confessional statement of a co-accused, nothing incriminating is said to have been recovered from the constructive possession of these petitioners. Learned counsel for the petitioners fairly submits that the criminal antecedents which have been referred in paragraph-3 of the instant petition, except Kotwali PS Case No. 415 of 2022 and Mohammadbad PS Case No. 157 of 2022, all the cases have been registered after institution of the present case. The petitioners are on bail on all those cases.

5. Learned APP opposes the prayer for anticipatory bail by submitting that the petitioners have got criminal antecedents and the similarly situated co-accused persons have been granted regular bail and not anticipatory bail, therefore, the petitioners do not deserve the privilege of anticipatory bail.

6. Having regards to the facts and circumstances of



the case and considering the submissions of the parties and the fact that the petitioners are not named in the FIR, they have been dragged in this case on the basis of confessional statement of co-accused, who has been granted regular bail, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail in the event of arrest or surrender within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned **Chief Judicial Magistrate, Rohtas at Sasaram**, in connection with aforesaid PS Case subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the



*witnesses or tamper with the evidences,
failing which the State shall be at liberty to
take steps for cancellation of the bail bonds;
(iv) the petitioner(s) shall desist
from committing any criminal offence again,
failing which the State shall be at liberty to
take steps for cancellation of his/their bail
bonds.*

(Ajit Kumar, J)

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