

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11739 of 2026

Arising Out of PS. Case No.-311 Year-2025 Thana- BIBHUTIPUR District- Samastipur

1. Jaykant Singh Son of Shree Chkand Singh Resident of Village- Singhiya Bujurg Dakshin, P.S.- Bibhutipur, District- Samastipur
2. Rekha Devi Wife of Jay Kant Singh @ Jay Kant Mahto Resident of Village- Singhiya Bujurg Dakshin, P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar Kunwar, Adv.
Mr. Abhijeet Gautam, Adv.
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Bibhutipur P.S. Case No. 311 of 2025 dated 02.08.2025 registered for the offences punishable under Sections 329(3), 329(4), 126(2), 127(2), 115(2), 118(1), 117(2), 109, 74, 76, 303(2), 352 and 351(2) of the B.N.S.

3. As per the prosecution case, the petitioners are alleged to have snatched away the motorcycle and had kept it with them after the altercation which had taken place between the parties and certain persons including the informant,



informant's son and others were injured.

4. The learned counsel for the petitioners submits that from bare reading of the F.I.R., it would be evident that there is no specific allegation levelled against the petitioners of overt act and only the allegation levelled against Jaykant Singh and his wife (petitioner no. 2) is that they had forcefully kept the motorcycle at their house. It has further been submitted that the petitioner no. 1 Jaykant Singh is disabled person having 45 percent disability and therefore, the allegation against him are palpably false. It has further been submitted that on account of an altercation with regard to a land dispute, the present false and concocted F.I.R. has been lodged implicating the petitioners and others. It has lastly been submitted that the petitioners have clean antecedent.

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

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioners above named, are 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-bonds of Rs. 10,000/-(Rupees Ten



Thousand)each 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 Bibhutipur P.S. Case No. 311 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 BNSS as well as subject to the following conditions:-

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

(ii) The petitioners 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 bonds of the petitioners will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedents, the trial court shall take necessary steps for cancellation of bail bonds of the petitioners. 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. 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)

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