

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17608 of 2026

Arising Out of PS. Case No.-271 Year-2024 Thana- DUMRA District- Sitamarhi

Kaushal Kumar S/o- Birendra Rai Resident Of Village- Rusulpur Tole
Mirchaiya, Ps- Dumra, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-04-2026 Heard Mr.Sanjay Kumar, learned counsel appearing
for the petitioner and Mr.Rajendra Singh, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dumra P.S. Case No. 271 of 2024, F.I.R. dated 19.06.2024 for the offences punishable under Sections 109, 110, 114, 115, 182, 194, 195, 201, 202, 203, 111, 120B and 34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioner have participated in the cremation of Abhilasha Kumari (deceased) who was murdered by Raj Kumar Rai and they have concealed the facts about the aforesaid murder from the police.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. As per allegation in the FIR, the petitioner and other co-accused persons have concealed the facts in connection with Dumra P.S.Case No.372/2023 due to which the dead body of the deceased in connection with Dumra P.S.Case No.372/2023 was not recovered by the police and the petitioner and other co-accused persons have narrated the wrong story about Dumra P.S.Case No.372/2023 before the police. Learned counsel for the petitioner submits that for the same set of allegation, co-accused persons, namely, Puran Rai & Anr. have been granted privilege of anticipatory bail by this Court vide order dated 20.05.2025 passed in Cr. Misc. No.26317 of 2025 and co-accused persons, namely, Ram Padarath Kumar and others have also been granted privilege of anticipatory bail by this Court vide order dated 10.07.2025 passed in Cr. Misc. No.35037 of 2025 respectively and other co-accused persons have also been granted privilege of anticipatory bail by different Coordinate Benches of this Hon'ble Court and the case of the petitioner is on similar footing.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and similarly situated co-accused persons, have been granted privilege of anticipatory bail by this Court of different Coordinate Benches of this Hon'ble Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 271 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS,2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



(III) And, further condition that the 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/her 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.

(Rajesh Kumar Verma, J)

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