

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21204 of 2026

Arising Out of PS. Case No.-39 Year-2025 Thana- RAJAPAKAR District- Vaishali

Suraj Kumar @ Suraj Raj son of Ram Kumar Rai @ Ram Kumar Resident of
Village -Lakhanpur Tal, Police Station- Desari, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad, Adv

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rajapakar P.S. Case No. 39/2025 dated 31.01.2025 registered under Sections 115(2), 109, 303(2), 140(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution story, on the night of 30.01.2025 approximately at 8:30 P.M. the victim (brother of the informant) Gautam Kumar received a telephone call from the co-accused/Ayush Kumar. Subsequently, Ayush Kumar arrived at the door of the informant, took his brother away on his motorcycle. After some time, the informant received a phone call from his brother that the co-accused/Ayush Kumar was attempting to kill him. His brother informed that Ayush Kumar along with the co-accused persons forcibly abducted him and took him to some other place and subjected him to severe



physical assault due to which he sustained injury. The informant's brother was thrown out of the vehicle near six lane highway at Kalyanpur where the informant and his family members found his brother (victim) in unconscious condition. The victim was admitted to Community Health Centre, Rajapakar and thereafter he was shifted to a private hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He further submits that he has falsely been implicated in the present case due to previous enmity and dirty village politics. He further submits that there is dispute between victim and co-accused Ranjan Kumar and his family members and the petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. Considering the fact that general and omnibus allegation has been levelled against the petitioner, doctor has opined the injury as simple in nature and statement of the victim has not been recorded during the course of investigation. Another co-accused Ranjan Kumar has already been granted privilege of anticipatory bail vide order dated 15.10.2025 passed



in Cr. Misc. No. 39889 of 2025 (Annexure-3), this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, 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 the learned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 39/2025 , subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to the further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case 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, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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