

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24396 of 2026

Arising Out of PS. Case No.-576 Year-2025 Thana- HARNAUT District- Nalanda

Anand Kumar @ Anandi Kumar S/o Parmanand R/o Mohalla- Dhankki Mor,
Near Asia Hosptial, Police Station- Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate
For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 01-07-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Harnaut P.S. Case No.576 of 2025, F.I.R dated 26.12.2025 registered for the offences punishable under Sections 317(4), 317(5), 310(4), 310(5) of the Bharatiya Nyaya Sanhita, 2023 and under sections 25(1B)(a), 26 and 35 of the Arms Act 1959.

3. According to prosecution case, acting on secret information received regarding the assembly of armed criminals for committing a robbery, the police conducted a raid on the Harnaut–Bakhtiyarpur Road and intercepted a motorcycle, a Swift Dzire car, and a pickup van. Eight accused persons were apprehended, and during the search, mobile phones, a country-made pistol, and two bundles of stolen electric wire were



allegedly recovered. During interrogation, the accused allegedly confessed to committing several thefts of electric wire in the Harnaut area and stated that they had assembled to commit a robbery. Consequently, they were arrested and the present case was instituted.

4. Learned counsel for the petitioner submits that the instant case has been registered for having stolen the electric wire and on raid being conducted all the accused persons except this petitioner is said to have been arrested and the recovery of electric wire and illegal arms was made from the place of seizure. It is the case of the petitioner that as per allegation, the co-accused namely Chootu Kumar and Ajay Kumar used to sell those stolen electric wire to the petitioner, while the recovery of the articles which is said to have been made from the shop of the petitioner does not match with the article, which is said to have been recovered from the place of seizure, from where the accused persons were arrested and have confessed. It has next been submitted that from the First Information Report, it appears that the raiding team was constituted on 27.12.2025 while the recovery has been shown to have been made on 26.12.2025 and this petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for



anticipatory bail application.

6. Considering the aforesaid facts and circumstances and taking into account that name of the petitioner has transpired on the basis of confessional statement and the seizure which is said to have been made by the team constituted, appears to be doubtful as the recovery was made before the constitution of the raiding team and the petitioner having clean antecedent, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her 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 the learned A.C.J.M., Biharsharif, Nalanda in connection with Harnaut P.S. Case No.576 of 2025 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit 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/her/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 their bail bonds.

(Ajit Kumar, J)

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