

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33945 of 2026

Arising Out of PS. Case No.-264 Year-2025 Thana- BUNIYAD GANJ District- Gaya

Sundar Kumar S/O Ajay Singh Resident of Village-Rupaspur, P.S-
Buniyadganj, Distt.-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 20-05-2026 Heard the learned counsel for the petitioner and

learned Additional Public Prosecutor for the State through

virtual mode.

2. The petitioner is apprehending his arrest in connection with Buniyadganj P.S. Case No. 264 of 2025 dated 20.08.2025 registered under Sections 303(2), 317(2), 111, 132, 352 & 3(5) of the B.N.S.

3. As per prosecution case, during patrolling the police intercepted one tractor loaded with illegal sand coming from Alipur side. On seeing the police vehicle, the driver fled away leaving the tractor near Buniyadganj Police Station. It is further alleged that later the petitioners along with other accused persons forcibly tried to release the seized tractor.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. It is submitted that petitioner is in no way connected with the alleged facts loaded with an allegation which is general and omnibus. Petitioner is working as a mason and was not involved in the alleged crime. As per the petitioner, the allegation levelled is false and baseless. Similarly situated co-accused person, namely, Rajkumar @ Jitu Kumar has already been extended the privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 29.04.2026 passed in Cr. Misc. No. 26311 of 2026.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances and that the co-accused has been granted privilege of anticipatory bail by a Co-ordinate Bench, 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) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Gaya in connection with



Buniyadganj P.S. Case No. 264 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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