

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33992 of 2026

Arising Out of PS. Case No.-570 Year-2022 Thana- BARH District- Patna

Hapotan @ Rajeev Kumar S/o Chandeshwar Prasad R/o Village- Lemuabad
P.S- Pandarak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjana .

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 21-05-2026 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 Barh P.S. Case No. 570 of 2022, F.I.R dated 29.08.2022 registered for the offences punishable under Sections 379, 356 of the Indian Penal Code.

3. According to prosecution case, on 21.07.2022 at about 7:30 pm, while informant was talking on his mobile phone near NH-31, two unknown persons came on a motorcycle and snatched his mobile phone and fled away.

4. Learned counsel for the petitioner submits that the seized article has been recovered from the co-accused, namely, Sujit Kumar, who has been implicated in the First Information Report and name of the petitioner has transpired on the basis of



confessional statement of co-accused, namely, Sujit Kumar, while, nothing incriminating has been recovered from the constructive possession of the petitioner. It has further been submitted that the petitioner has one criminal antecedent but he is on bail in the said case.

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

6. Considering the aforesaid facts and circumstances that the seized article has been recovered from the co-accused, namely, Sujit Kumar and name of the petitioner has transpired on the basis of his confessional statement, while nothing incriminating has been recovered from the constructive possession of the petitioner. Accordingly, 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 four weeks 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.-1st, Barh (Patna) in connection with Barh P.S. Case No. 570 of 2022 , 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)

Shikha/-
Rakesh/-

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