

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32825 of 2026

Arising Out of PS. Case No.-353 Year-2025 Thana- ALAMNAGAR District- Madhepura

Tantan Rajak @ Rajesh Rajak S/o- Santosh Rajak R/o Village- Bihat Behta
Behata Ward No 09 P.S- Sonbarsa RajDistrict-Saharsa Presntly R/o Village-
Godram Ward No 02 P.S-Basanahi District-Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-05-2026 Heard Mr. Pawan Kumar, learned counsel for the

petitioner and Mr. Shahabuddin Azeem @ S. Azeem, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.01.2026 in connection with Alamnagar P.S. Case No. 353 of
2025 for the offence punishable under Section 309(4) of BNS.

3. The case of the prosecution, in brief, is that as per
written-report of informant Sonu Kumar, on 21.12.2025 at about
02:10 hours, the informant was going from his house to
Sonamukhi Bazar by his motorcycle bearing registration No.
BR34W-3163 (chasis No. MD634BE88R2K24283, Engine No.
AE8KR2624198). In the way, two unknown miscreants riding
on NS Pulsar red-coloured motorcycle intercepted the informant



and looted away the informant's motorcycle as well as Rs. 50,000/- cash and one mobile-phone (fitted SIM No. 8102754362) at the gunpoint, and then, the miscreants fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and the name of the petitioner has transpired during the course of investigation and one motorcycle which was looted in the present crime in question has been recovered from the house of the petitioner. It is next submitted that there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023 and the police after investigation has submitted charge-sheet and petitioner is in custody since 13.01.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that recovery has been made from the house of the petitioner and petitioner has antecedent of two cases other than the present case but fairly submits that petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 J.M. 1st
Class District-Madhepura in connection with Alamnagar P.S.
Case No. 353 of 2025, subject to the 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 absence on two consecutive dates without sufficient reason, his 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 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)

Gaurav Sinha/-

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