

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41666 of 2026

Arising Out of PS. Case No.-301 Year-2025 Thana- BIHTA District- Patna

Saurav Kumar, S/o Jitendra Kumar, R/o Village- Bhagwatipur, Bazidpur @
Bajitpur, P.S.- Bihta, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 31-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Bihta P.S.

Case No.301 of 2025 registered under Sections 318(4),

316(2), 115(2), 127(1), 117(2), 303(2) and 3(5) of the

Bharatiya Nyaya Sanhita, 2023 (in short 'BNS').

3. As per FIR, the informant came in contact with

named co-accused, namely, Rahul Raj for sell of his mobile

through OLX platform, and when they came to each other

and was asking for payment through QR code, the named



co-accused called two of his associates and thereafter, all of them assaulted informant and snatched his mobile without making any payment.

4. It is submitted by learned counsel appearing for the petitioner that during the course of occurrence the snatched mobile of informant was recovered from the house of this petitioner, but for said reason only it cannot be said that the petitioner was involved with crime in question as house in issue was occupied by several other adult family members. It is further submitted that compliance of Section 103(4) of the BNSS not appears followed as far search of premise is concerned. Explaining criminal antecedent, it is submitted that petitioner found involved in two more criminal cases, where he is on bail in one case.

5. Learned APP while opposing the prayer of bail submitted that the looted mobile was recovered from the house of this petitioner.

6. In view of aforesaid factual submissions and by taking note of fact as the mobile of the informant was recovered from the house of petitioner and was also found in



his use, accordingly, the prayer of anticipatory bail of the
above-named petitioner stands rejected.

(Chandra Shekhar Jha, J.)

Raushan/-

U		T	
---	--	---	--

