

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33304 of 2026

Arising Out of PS. Case No.-30 Year-2026 Thana- DAWATH District- Rohtas

Bindhyachal Kumar Mishra S/o Rajballabh Mishra Resident of Village-
Mishar Bigha, P.O.- Bhadwa Bazar, P.S.- Rafiganj, Distt.- Aurangabad (Bihar)
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shalini Raje, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2026 Heard Mr. Shalini Raje, learned counsel for the

petitioner and Mr. Sanjay Kumar Tiwary, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
03.02.2026 in connection with Dawath P.S. Case No. 30 of
2026, F.I.R. dated 03.02.2026 for the offences punishable under
Sections 318(4), 316(2), 61(2), 336(3), 340(2), 111(3) and 3(5)
of the BNS, 2023.

3. According to prosecution case, the informant
alleged that the petitioner along with other accused persons have
committed fraud with her by not repaying her money
deposited/invested by them in Swarn Jan Sukhay Nidhi Limited.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the



FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Initially petitioner was named in the FIR and his name has been transpired on the basis of confessional statement of the co-accused, Sunil Pandit and except the aforesaid, nothing has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Anil Kkumar Pathak who name has also been transpired on the basis of confessional statement of Sunil Pandit has been granted bail by this Court vide order dated 04.05.2025 passed in Cr. Misc. No. 29514 of 2026. The petitioner is in custody since 03.02.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, he is not named in the FIR and similarly situated co-accused person has been granted bail by this Court, 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 ACJM, Bikramganj (Rohtas) in connection with Dawath P.S. Case No. 30 of 2026, 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)

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