

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33783 of 2026

Arising Out of PS. Case No.-287 Year-2025 Thana- SIMRI District- Darbhanga

Rajeev Kumar @ Rajeev Kushwaha S/o- Mahendra Mahto @ Mahendra Kushwaha Resident of Village- Shivdaspur, P.S.- Bishanpur, District- Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikas Kumar Jha, Advocate.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, 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 Simri Bazar P.S. Case No. 287 of 2025, F.I.R dated 03.11.2025 registered for the offences punishable under Sections 310 (2) and 317 (3) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 03.11.2025 at about 10:00 P.M. while the informant was returning from Simri Chowk on his motorcycle bearing Registration No. BR-07AQ-3850 along with two co-villagers, they were intercepted near the boring machine of Ranjeet Ram situated in the village Bastwara by about 08 unknown miscreants riding on four motorcycles.



The alleged persons wrongfully restrained the informant and his companions and one of the miscreants put a knife on the neck of the informant while another brandished a pistol thereby putting them in fear of death. Thereafter, the accused persons forcibly snatched the motorcycle of the informant and one mobile phone of Sachin Kumar and another mobile phone of Roshan Kumar, companions of the informant.

4. Learned counsel for the petitioner submits that the name of the petitioner has transpired in the First Information Report on the basis of confession of the co-accused namely, Manish Kumar while nothing is said to have been recovered from the constructive possession of this petitioner. Learned counsel for the petitioner has submitted that the petitioner has no criminal antecedent and is ready to cooperate with the investigation if the case of the petitioner is sent up for trial to reach to a logical conclusion.

5. Shri Brajendra Nath Pandey, learned APP for the State who is appearing through virtual mode did not controvert the submissions of the counsel for the petitioner.

6. Considering the aforesaid submissions of the parties and the fact that the name of the petitioner has been transpired on the basis of the confession and no recovery has



been made from the constructive possession of this petitioner, the petitioner has clean antecedent and is ready to cooperate with the trial to reach to a logical concluding, 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 thirty days 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 SDJM, Darbhanga in connection with Simri Bazar P.S. Case No. 287 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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