

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33444 of 2026

Arising Out of PS. Case No.-39 Year-2026 Thana- Charkapathar District- Jamui

Niraj Kumar @ Niraj Barnabal S/o Munna Barnwal @ Muneshwar Barnbal
R/o Bichachhagarh, P.s.- Charkapathar, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Raj, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 21-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks bail in anticipation of his arrest in connection with Charkapathar P.S. Case No. 39 of 2026, instituted for the offences punishable under Sections 190, 191(2), 191(3), 115(2), 126(2), 76, 324(4), 329(5), 308(5), 308(2), 303(2), 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant has alleged that all the eleven (11) named accused persons came to the lands of the informant and they all started abusing. It is further alleged that three (3) of the accused persons namely; Munna Barnwal, Dheeraj Barnwal and Kailu Yadav demanded ransom and thereafter a JCB was called and they all got the



house of the informant, which was standing on the land, demolished through the JCB.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with a general and omnibus allegation. It has been pointed out that barring a reference of his name, there is no specific allegation of any overt act against the petitioner and the present case is false and concocted one lodged by the informant, who have forcefully captured the land of the petitioner and others and when they were about to evict, this false and concocted case has been lodged.

5. It has further been submitted that though inadvertently no criminal antecedent has been indicated in the main bail application, however, subsequently the said error was rectified by filing the supplementary affidavit, wherein it has been disclosed that the petitioner carries two criminal antecedents.

6. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

7. Considering the facts aforesaid, the petitioners is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks



from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Jamui in connection with Charkapathar P.S. Case No. 39 of 2026, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner and the other shall be a local resident;

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court and shall cooperate in the investigation;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) 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 bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(vi) in view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police concerned within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of



Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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