

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36139 of 2026

Arising Out of PS. Case No.-78 Year-2026 Thana- GARDANIBAG District- Patna

Raghubir Kumar Son of Ram Balak Yadav Resident of Village- Near High School Marg Saunda Marg P.O.- Saunda, P.S.- Bhorkhunda, Dist.- Ramgarh, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vidyapati, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2026 The Court proceeding is being conducted through virtual mode.

2. Heard learned Counsel for the petitioner and learned APP for the State.

3. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Gardanibagh P.S. Case No. 78 of 2026, lodged on 28.01.2026, under Section 319(2)/318(4)/338 /336(3) /340(2)/112(2)/61(2)/3(5) of the Bhartiya Nyay Sanhita, 2023 and under Section 10/11 of Bihar Conduct of Examination Act, pending in the Court of learned Additional Chief Judicial



Magistrate-XIII, Patna.

4. As per the prosecution, the FIR has been lodged against five accused persons including the present petitioner. Specific allegation against the petitioner is that he has played the role of broker and at his instance other persons were impersonated. It has also been directly alleged that petitioner had received rupees two lakhs to do this work.

5. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He submits that the petitioner is an Army man being clean antecedent and he has unnecessarily been made accused in this case at the instance of the relative with whom he has inimical term. Counsel further submits that career of the petitioner shall be destroyed if anticipatory bail shall not be granted.

6. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner that he has played the role of broker in commission of crime.

7. After going through the confessional statement, which is corroborative in nature, the entire *modus operandi* has been made in the FIR.

8. In this background, this Court is not inclined to



grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail of petitioner is hereby refused. However, in the event of surrender of the petitioner within four weeks from today, the prayer for regular bail shall be considered on merit on the same day without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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