

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40159 of 2026

Arising Out of PS. Case No.-92 Year-2021 Thana- CHANPATIA District- West Champaran

Rajendra Patel Son of Nathu Patel R/O Village - Bankat, P.S.- Chanpatiya,
District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, not named in the F.I.R., is apprehending his arrest in connection with Chanpatiya P.S. Case No. 92 of 2021 registered for the offences punishable under Sections 341, 342, 392, 120B, 34 of the Indian Penal Code.

3. The allegation against the petitioner is to commit robbery and while committing so, looted a bag of the informant while he was going to the bank for depositing torn currency note. The bag having torn currency note subsequently thrown near to the gate of the police station, which was recovered by the police and subsequently returned to the informant after due verification.



4. Mr. Bimlesh Kumar Pandey, learned counsel appearing on behalf of the petitioner submitted that prior to this occurrence the petitioner was made accused in Chanpatiya P.S. Case No. 108/2021, on the basis of confessional statement of one co-accused Naseem, who confessed in police custody that Sim Card, which was used for the purpose of making ransom call, was purchased from his shop and this petitioner may be one of them, who purchased the same. It is submitted that with this cryptic statement, the petitioner was arrested with Chanpatiya P.S. Case No. 108/2021, where he confessed in police custody *qua* his involvement with the present crime in question, which is available in paragraph 94 of the case diary. It is submitted that except the confessional statement, nothing incriminating appears against this petitioner. It is pointed out that admittedly recovery of torn currency note was made from an open place, which was subsequently handed over to the informant.

5. Arguing further, it is submitted by learned counsel that even the informant through FIR not raised any suspicion *qua* this petitioner rather he raised suspicion as to



involve in present crime in question against co-accused namely, Ashutosh Sharma, Vivek Sharma and Anand Bihari.

6. It is further urged that petitioner was never called to join investigation in last five years and, therefore, on this ground alone, he may be released on bail. In support of his submission, learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Gursewak Singh Vs. State of Punjab [Special Leave to Appeal (Cri) No. 11234 of 2025 dated 03.09.2025]**.

7. Explaining criminal antecedent, it is submitted that petitioner found involved in four more criminal cases, where he is on bail.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

9. In view of the aforesaid factual submissions and by taking note of the fact as admittedly recovery was made from an open place, where not even suspicion appears raised against this petitioner through FIR, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of



Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran/concerned court in connection with Chanpatiya P.S. Case No. 92 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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