

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42494 of 2026

Arising Out of PS. Case No.-120 Year-2026 Thana- MADHUBAN District- East Champaran

Dilip Kumar @ Ajit Kumar S/o Yogendra Bhagat Resident of Village-
Shivpur Pakariya ,P.S- Madhuban, District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 01-07-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Madhuban P.S. Case No. 120 of 2026 F.I.R dated 20.03.2026 registered for the offences punishable under Section 303 (2) of Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 16.03.2026 at around 01:00 A.M. the informant's motorcycle, bearing Reg. No. BR06AN-2813, black and red in color, was stolen from his doorstep which is registered in the name of his nephew, Krishna Kumar. Accordingly, the informant has lodged the F.I.R. for tracing and recovery of the said vehicle.

4. Learned counsel for the petitioner submits that the petitioner's name has been transpired in the F.I.R. on the basis



of the confessional statement made by the co-accused. It has next been submitted that nothing incriminating is said to have been recovered from the constructive possession of this petitioner. The petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail in respect of the petitioner.

6. Considering the aforesaid fact that nothing incriminating has been recovered from the constructive possession of this petitioner and the petitioner has got clean antecedent. 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 Additional Chief Judicial Magistrate-VI, Motihari, East Champaran in connection with the aforesaid P.S. Case, 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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