

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44619 of 2026

Arising Out of PS. Case No.-80 Year-2026 Thana- CHARPOKHARI District- Bhojpur

Lav Kumar @ Bablu Kumar @ Boublu Kumar son of Bindhyachal Updhyaya
Resident of village- Baisadih Baisa Dih, Bhojpur Bijar PS -Piro Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Shivam, Adv.

For the Opposite Party/s : Ms. Sushmita Mishra, Adv.
Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Charpokhari P.S. Case No. 80 of 2026 dated 20.04.2026 registered for the offence punishable under Section/s 109, 61(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, the informant's mother died after being hit by a motorcycle allegedly driven by Shanni Sharma, who was later facilitated to escape by co-accused Niraj Kumar @ Mangni. It is further alleged that the accused persons subsequently opened indiscriminate fire, causing injuries to the informant and another person.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. while the name of the petitioner got transpired in this case on the basis of materials put-forth through an application, which is said to have been filed after one month of *Fardbeyan*, in which mobile number of the petitioner was mentioned, through which threatening was said to have been made. It is the case of the petitioner that if the allegations were true then such mobile number should have been mentioned in the *Fardbeyan* itself and there was no occasion for such numbers coming during investigation, that too, after one month of the institution of the F.I.R. It has next been submitted that the allegation of indiscriminate firing is against unknown and the petitioner has clean antecedent. It has further been submitted that the specific allegation of threatening and conspiracy being hatched and other things being maneuvered is against the co-accused Brajesh Kumar @ Rohit Kumar who has already been granted privilege of anticipatory bail vide order dated 30.06.2026 passed by a Co-ordinate Bench of this Court in Cr. Misc. No. 40353 of 2026.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.



6. Having heard learned counsel for the parties and considering the fact that the name of the petitioner has transpired in this case after one month of the registration of the F.I.R. and that too by referring to the mobile number while there is nothing specific against the petitioner and the petitioner having clean antecedent and, as also, the co-accused having been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 80 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the 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 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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