

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43428 of 2026

Arising Out of PS. Case No.-142 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

-
1. Vinay Kumar Son of Ramawdesh @ Boudhi
 2. Sanjit Kumar @ Sanjeet Kumar Son of Baidhyanath Rai
Both are Resident of Village - Tetarpur, P.S.- Mohiuddinnagar, District -
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Kant Singh, Advocate
	:	Mr.Binay Kumar, Advocate
For the Opposite Party/s	:	Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-07-2026 Heard Mr.Krishna Kant Singh, learned counsel for
the petitioners and Mr.Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Mohiuddinagar P.S.Case No.142 of 2022, FIR
dated 17.06.2022 registered for the offences punishable under
Sections147/149/341/342/323/324/307/353/332/333/337/338/42
7/436/188/379/380/506 and 34 of Indian Penal Code.

3. According to prosecution case, 13 FIR named
accused persons along with 200 unknown persons protested the
Agniveer Scheme by creating ruckus on Mohiuddin Nagar
Railway Station. It is also alleged that the accused persons set



fire in Lohit express train and also looted good and articles of the passengers.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent. Petitioners are not named in the FIR. The name of the petitioners has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Vivek Rai which was recorded in paragraph-41 of the case diary. As per allegation in the FIR, altogether 200 persons protested the Agniveer Scheme by creating ruckus on Mohiuddin Nagar Railway Station. Learned counsel for the petitioners submits that there is no specific allegation against the petitioners rather there is general and omnibus allegation against 200 persons including the petitioners. Initially the petitioners were not named in the FIR. Further submits that similarly situated co-accused persons namely Chikku @ Chikku Kumar @ Sushil Yadav has been granted privilege of anticipatory bail by this Court vide order dated 18.01.2024 in passed Cr. Misc No. 84440 of 2023 and another co-accused persons namely Anant Kumar @ Ankit Kumar and Pintu Kumar Ray have been granted privilege of anticipatory bail by different Co-ordinate Benches of this Hon'ble Court vide order dated 20.03.2023 passed in Cr. Misc



No. 66374 of 2022 and 06.09.2023 passed in Cr. Misc No. 45854 of 2023 and co-accused person, namely, Navin Kumar @ Sabnam Singh has also been granted privilege of anticipatory bail by this Court vide order dated 28.02.2025 passed in Cr. Misc No. 13827 of 2025 respectively.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent and similarly situated co-accused persons have been granted privilege of anticipatory bail by this Court or by different Coordinate Benches of this Hon'ble Court, let the petitioners, above named, in the event of their 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)each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Samastipur in connection with Mohiuddinagar P.S.Case No.142 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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