

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41930 of 2026

Arising Out of PS. Case No.-131 Year-2025 Thana- HATHAURI District- Muzaffarpur

Rajan Kumar @ Kush Bharat @ Kush Bhagat Son of Umashankar Sah
Resident of village - Harpur, P.S.- Hathauri, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-07-2026 Heard Ms. Bela Singh, learned counsel for the

petitioner as well as Mr. Nagendra Prasad, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
07.08.2025 in connection with Hathaudi P.S. Case No. 131 of
2025, F.I.R. dated 07.08.2025 for the offences punishable under
Sections 137(2), 140(1), 140(3), 103(1), 238, 61(3) of the
Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant
alleged that on 05.08.2025 at about 05.00 pm, her son Md.
Aslam was sitting at Darwaja, meanwhile her neighbour Raja
Babu reached and took her son Md. Aslam on his motorcycle on
the pretext of excursion but her son did not return till late night.
During course of search, mobile phone of her son was found



switched off. Thereafter, call was made on the mobile phone of Raja Babu but he did not respond. In the morning of 06.08.2025, informant reached house of Raja Babu and asked whereabouts of her son but he did not give any satisfactory reply.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Initially the petitioner was not named in the FIR and his name transpired on the basis of confessional statement of co-accused, Amresh Kumar, who has confessed his guilt and also named the petitioner along with Ankit Kumar and Paldhari Rai as his associates and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence and even no one had seen the alleged occurrence. He next submits that the said Amresh Kumar has been granted the privilege of bail by this Court vide order dated 10.03.2026 in Cr. Misc. No. 15072 of 2026 and Ankit Kumar and Paldhari Rai have been granted the privilege of bail by a co-ordinate Bench of this Court vide order dated 24.03.2026 in Cr. Misc.No. 394 of 2026 and Cr. Misc. No. 2855 of 2026. He further submits that the police after investigation submitted the



charge sheet against the petitioner and the petitioner is in custody since 07.08.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances as well as period of custody of the petitioner, let the petitioner, above named, 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 District & Additional Sessions Judge-20th, Muzaffarpur in connection with Hathaуди P.S. Case No. 131 of 2025, subject to the following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers 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 petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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