

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48025 of 2026

Arising Out of PS. Case No.-455 Year-2024 Thana- SAKRA District- Muzaffarpur

Suraj kumar son of Sri Jay Narayan Rai @ Jay narayan Ray Resident of
village - Itha Rasulnagar, Ps- Sakra, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sagar Kumar, Adv.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Sakra P.S. Case No. 455 of 2024 dated 29.08.2024 registered
for the offence punishable under Section/s 309(4) of the Bhartiya
Nyaya Sanhita, 2023.

3. As per the prosecution case, five accused persons, riding
on two motorcycles, allegedly put the informant in fear at
gunpoint and robbed him of his TVS Raider motorcycle, a wallet
containing Rs. 8,500/- and other articles, as mentioned in the
F.I.R.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
instant case. The petitioner is not named in the F.I.R. as the same
has been instituted against unknown persons and the name of the



petitioner has transpired in this case on the basis of the confessional statement of the co-accused Sanjay Kumar from whose possession, the seized article is said to have been recovered. It is further submitted that nothing incriminating has been recovered from the constructive possession of the petitioner and even he has not been put on Test Identification Parade. The petitioner has also no concern with the alleged motorcycle bearing Regd. No. BR06DJ3118 rather the same belong to the co-accused Sanjay Kumar. It is further submitted that the petitioner is a man of means and he is ready to abide by the terms and conditions imposed in this case, in case the benefit of privilege of anticipatory bail is extended to him. Lastly, it is submitted that the petitioner is a person of clean antecedent.

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

6. Having heard learned counsel for the petitioner and considering the fact that nothing incriminating has been recovered from the constructive possession of the petitioner and his name has transpired in this case on the basis of confessional statement of the co-accused and, as also, the petitioner bearing no criminal antecedent, 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, Muzaffarpur (East) in connection with Sakra P.S. Case No. 455 of 2024, 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 who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner 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 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 shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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