IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63775 of 2026

CNR No. BRHC010883652026

Arising Out of PS. Case No.-244 Year-2026 Thana- NEMDARGANJ District- Nawada

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Arun Mukhiya @ Arun Vishwakarma Son of Rambilas Mistry @ Ramvilash Vishwakarma R/o - Mastangang, P.O.- Pharha, P.S.- Nemdarganj, Nawada, Bihar- 805121.

... ... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary-cum-Mines Commissioner, Mines and Geology Department , Govt of Bihar Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Gyaneshwar Shandilya, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

4 04-11-2026 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 Nemdarganj P.S. Case No.244 of 2026, F.I.R dated 12.06.2026 registered for the offences punishable under Sections 316(2), 318(4), 111 and 308(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case the vehicle bearing Registration No. UP-45T-6215, loaded with coal, was seized on 09.06.2026 and kept at Nemdarganj Police Station. It is alleged that the petitioner contacted the owner of the vehicle and

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demanded Rs.1,00,000/- for its release without payment of the prescribed fine. Thereafter, one Raju Kumar, stated to be the petitioner's associate, approached the vehicle owner, who allegedly transferred Rs.18,000/- and Rs.30,000/- through his daughter's payment scanner. However, as the vehicle was not released, the owner tried to contact the petitioner and Raju Kumar but received no response. It is further alleged that the petitioner cheated the vehicle owner and, apprehending danger to his life, the owner lodged the present case.

4. Learned counsel for the petitioner submits that the entire transaction is said to have taken place through the account of Raju Kumar @ Raju, while the amount in question has already been returned and transferred to the complainant, Ramsurat Yadav. It is further submitted that for similar allegations, Raju Kumar @ Raju, against whom there is specific allegation of having received the alleged amount, has already been extended the privilege of anticipatory bail by the Co-ordinate Bench of this Court in Cr. Misc. No. 70772 of 2026. Lastly, it is submitted that the petitioner is ready to cooperate with the investigation.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

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6. Considering the aforesaid facts and circumstances and taking into account the fact that the alleged transaction is said to have taken place through the account of Raju Kumar @ Raju, against whom there is a specific allegation of having received the alleged amount, who has already been extended the privilege of anticipatory bail by the Co-ordinate Bench of this Court, that the amount in question has already been returned to the complainant and that the petitioner is ready to cooperate with the investigation, 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 A.C.J.M.-1st Nawada in connection with aforementioned 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

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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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