

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67209 of 2025

Arising Out of PS. Case No.-311 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Aditya Kumar S/O Rahul Kumar Resident of vill.- Jalalpur, P.S.- Siwan town,
Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Kumari Anupam

For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-02-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 302, 201 and
34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The learned counsel appearing on behalf of the
petitioner submits that petitioner is a person with clean antecedent.
It is next submitted that from perusal of the allegation as alleged in
the FIR, it would manifest that the informant alleges that on 18-6-
2024, his grandson received a call on his mobile and while leaving
the house, on asking of the informant, he disclosed that he had
been called by Ankit, Sachin and Manish and thereafter left the
house, further at 8 pm, he received an information that his
grandson has been shot and the police has taken him to Sardar
Hospital, accordingly he reached Sardar Hospital, where he came



to know that his grandson has been killed, thus alleges based on suspicion that Ankit, Sachin and Manish had called his grandson and killed him.

4. The learned counsel appearing on behalf the petitioner submits that the informant is not an eyewitness to the occurrence and from perusal of the allegation as alleged in the FIR, it would manifest that entire allegation hinges around suspicion. It is next submitted that petitioner is not named in the FIR and his named transpired in the case based on confessional statement of Manish in police custody which does not have any evidentiary value. It is further submitted that Ankit had approached this Court seeking anticipatory bail by filing Cr. Misc No. 12797 of 2025 and the same came to be allowed by an order dated 28-3-2025 with certain conditions. It is submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like



amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with G.B. Nagar P.S. Case No. 311 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father, Rahul Kumar.

8. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this court, is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall lose its effect.

10. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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