

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69866 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- MAHALGAON District- Araria

1. Sandeep Kumar Son of Virendra Vishwas @ Birendra Vishwas Resident of Village - Ward No.- 9 Kochli, Dagarua, P.S.- Dagarua, District - Purnea.
2. Karan Kumar Son of Virendra Vishwas @ Birendra Vishwas Resident of Village - Ward No.- 9 Kochli, Dagarua, P.S.- Dagarua, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

5 27-02-2026

1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 309(4) of the BNS and subsequently Section 317(2) of the BNS was added.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and are young boys aged about 21 years and 23 years and the informant alleges that four unknown accused intercepted him and looted his tractor on point of pistol.

4. Learned counsel for the petitioners submits that FIR was against unknown and name of the petitioners transpired



in the confessional statement of co-accused, namely, Abhishek Kumar Mandal in police custody which does not have any evidentiary value. It is further submitted that a supplementary affidavit has been filed bringing on record the educational qualification of the petitioners. It is next submitted that petitioner no. 1 is a student of K.B. Jha College, Katihar and is presently pursuing Chemistry Honours and petitioner no. 2 is a student of National Degree College, Rambagh, Purnea, Bihar as would manifest from Annexure-2 series to the supplementary affidavit. It is also submitted that in the nature of allegation, if the petitioners are sent to judicial custody their entire career would get jeopardized and chances are bright that they may come in contact with the hardened criminals. It is submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners let the petitioners above-named in the event of their arrest or surrender within a period of six weeks from today be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each 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 Mahalgaon P.S. Case No. 110 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

7. One of the bailors of the petitioners shall be their father, namely, Virendra Vishwas @ Birendra Vishwas.

8. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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