

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68446 of 2025

Arising Out of PS. Case No.-64 Year-2024 Thana- AANDAR District- Siwan

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1. Ravi Kumar Kushwaha @ Ravi Kumar S/O Subhash Bhagat R/O Village-Andar, P.S- Andar, Distt.- Siwan.
 2. Babloo Kumar Yadav @ Babloo Yadav S/O Siya Ram Yadav R/O Village-Katwar, P.S- Andar, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 11-02-2026

Heard the parties.

2. The petitioners are apprehending arrest in connection with Andar P.S. Case No. 64/2024 instituted under Section 342, 323, 304, 386, 307, 379, 504, 506, 34 of the Indian Penal Code lodged on 03.04.2024 by the informant, Mahfooz Alam.

3. As per the prosecution story, the informant alleged that Sunny Kumar called him and informed that he will sell the motorcycle on good price. However, upon reaching Jamalpur, some more people were called and he was asked about the stolen tractor. When the informant shows his ignorance, the allegation is that the accused persons including the two



petitioners pulled him in a black Scorpio and after blinding him, took near a bank of the river and further assaulted.

4. It is alleged that Dharmendra Singh used his mobile to make a demand of Rs.50,000/- as extortion. The informant, somehow, managed to escape, reached the Hospital and then the FIR.

5. Learned counsel for the petitioner submits that though omnibus allegation is there, the further statement under section 164 of the Cr.P.C. clearly shows that he has made allegation against Dharmendra Singh and no role has been attributed to these petitioners though he acknowledges that the petitioners wanted him to accept the allegation of the stolen tractor. The injuries have been made to be simple in nature.

5. Learned APP opposes the prayer submitting that omnibus allegation of pushing him to the Scorpio is there, beside the criminal antecedent.

6. Considering the submissions of the parties, main role has been attributed to Dharmendra Singh, injuries have been found to be simple in nature, the petitioner has undertaken to cooperate in the investigation and shall be diligently appearing in trial, in that background, this Court is inclined to extend them the privilege of anticipatory bail.



7. Let the petitioners be released on bail, in the event of their arrest or surrender before the concerned court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Andar P.S. Case No. 64/2024 to the satisfaction of learned J.M.1st Class, Siwan subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next one year to mark their attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioners 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;

(v) the petitioners 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.

(Rajiv Roy, J)

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