IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73055 of 2026

CNR No. BRHC011051922026

Arising Out of PS. Case No.-86 Year-2026 Thana- FATUA District- Patna

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Radhe Shyam Prasad S/o- Tuna Rai R/v- Mirjapur Nohta Ps- Fatuha Dist- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Mickey Singh, Advocate
For the State : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-10-2026 Heard Ms. Mickey Singh, learned counsel for the petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Fatuha P.S. Case No. 86 of 2026 registered for the offence under Sections 303(2) of the B.N.S., lodged on 08.02.2026 by the informant, Md. Javid.

3. As per the prosecution story, the informant alleged that he owns a garage on the NH-31 and had gone to take his meal. As he returned, found some thieves inside the garage, he raised alarm but though the accused managed to escape, a mobile was found there beside a motorcycle. This led to the F.I.R.

4. Learned counsel for the petitioner submits that he

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do not own the mobile though motorcycle belongs to him. The nearby agricultural land is being owned by the petitioner and regularly used to park motorcycle there. Further, he do not have criminal antecedent and has been implicated in this case.

5. Learned APP opposes the prayer submitting that a motorcycle was parked at the place which was found alongwith the mobile.

6. Considering the submissions aforesaid as also that the petitioner do not have criminal antecedent and according to the petition, he owns the land nearby, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Patna City, in connection with Fatuha P.S. Case No. 86 of 2026 subject to the following conditions:-

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

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(ii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) 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/her bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every month for next six months to mark his 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;

(v) 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;

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

(Rajiv Roy, J)

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