IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78365 of 2026

CNR No. BRHC011054262026

Arising Out of PS. Case No.-103 Year-2026 Thana- BAHADURPUR District- Patna

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RAJESH KUMAR Son of Sri Shankar Prasad Yadav @ Shankar Yadav Resident of Village - Bhada Ward No.4, P.S.- Sonbarsa, District - Saharsa.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Diwakar Prasad Singh, Adv.
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-11-2026 Heard Mr. Diwakar Prasad Singh learned counsel for the petitioner and Mr. Bharat Bhushan for the State.

2. The petitioner apprehends his arrest in connection with Bahadurpur P.S. Case No. 103 of 2026 for the offence registered under sections 318(4), 61(2), 303(2), 3(5) of BNS lodged on 21.03.2026 by the informant, Prem Kumar Sinha.

3. As per the prosecution story, the informant alleged that he received a phone call (Number- 8298XXXX20), gave his name as Rajesh (petitioner herein) and wanted to transport his articles for shifting from Patna Central School to Bhagalpur.

4. As he was busy, requested his friend, Pravin Kumar to attend to the said request. Four bags were inserted in the vehicle and as it started smelling, sensing something wrong, he

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refused to move and the articles were moved out of the vehicle.

5. Subsequently, the said Rajesh and some others boarded the car of the informant and wanted to go to Bazar Samiti, Musallahpur and on the way near Ramratan hospital, Rampur road, the key was snatched and they drove with the car. It also included his purse and the mobile. As he failed to locate the car, subsequently, the FIR.

6. Learned counsel for the petitioner submits that it is a concocted story, Bhootnath Metro Station has CCTV which can very well reflect the entire episode, only because he is an accused in the case under NDPS Act, got implicated. Actually, the informant owe Rs. 3,70,000/- which he had taken for transfer of land and as he failed to do so, this story has been created which was also brought to notice of the SDPO, Patna City, Patna by his father, Shankar Yadav. In that background, he deserves relief.

7. Learned APP on the other hand submits that not only he has criminal antecedent, the reason has also been assigned that the informant owe Rs. 3,70,000/- and he failed to execute the deed, the car has been taken away. The submission is that prior to that, they tried to forcefully take some bags having incriminating articles which was refused by his friend

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and infuriated with the said refusal, the action took place.

8. Taking into account the submissions aforesaid as also the allegation that has come against the petitioner coupled with the fact that he has criminal antecedent under NDPS Act, no relief can be extended.

9. The anticipatory bail application stands rejected.

10. So far as the claim of the petitioner to go through the CCTV camera of the Bhootnath Metro Station to Rampur, Musallahpur area to show whether the allegation is correct or not, this Court directs the S.S.P., Patna to direct the SDPO, Patna City to look into the said fact and submit a report which be part of the investigation to be incorporated in the case diary.

11. This Court expects the report to be submitted in next eight weeks.

12. List this case on 20.01.2027 under the heading ‘To Be Mentioned’ for the perusal of the report.

(Rajiv Roy, J)

Vijay Singh/-

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