IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77752 of 2026

CNR No. BRHC011095772026

Arising Out of PS. Case No.-128 Year-2026 Thana- SHEIKHOPUR SARAI District-Sheikhpura

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Niraj Paswan @ Niraj Kumar S/O Budhan Paswan R/O Village- Bajitpur, P.S-Sheikhopur Sarai, Distt.- Sheikhpura. Permanent Address- Village- Bajitpur, P.S. Sahpur, Distt.- Nawada.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sheo Kumar Prasad, Adv.
For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Shekhopur Sarai P.S. Case No. 128/2026 for the offence registered under sections 126(2), 115(2), 118(1), 352, 351(2), 109(1), 132, 121(2), 221, 318(4), 319(2), 336(2), 336(3), 338, 340(2), 3(5) of the B.N.S. and Section 66(C), 66(D) of the I.T. Act.

3. As per allegation, the petitioner along with other co-villagers indulged in abusing and pelting of stones on police personnel.

4. The learned counsel for the petitioner submits that

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the petitioner is innocent and has falsely been implicated. He is a person of clean antecedent. The allegation against him is general and omnibus. Nothing has been recovered from his possession.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. From a careful reading of the allegation levelled in the FIR, it appears that it was not the petitioner's mobile phone, which was found to be involved in the cyber offence rather, the allegation against him is general and omnibus in nature, as being the member of the mob. Another co-accused Tonis Paswan @ Tonis Kumar has already been granted anticipatory bail vide order dated 07.10.2026 passed in Cr. Misc. No. 70310 of 2026. There is also no criminal antecedent against the petitioner. The petitioner also happens to be a young boy. Considering all these circumstance, I am inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, as named above, in the event of his arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in

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connection with Shekhopur Sarai P.S. Case No. 128/2026, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to further condition that :-

(i) The petitioner shall co-operate in the investigation/ trial.

(ii) The learned Court below would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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