

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82091 of 2025

Arising Out of PS. Case No.-105 Year-2025 Thana- Nawalpur District- West Champaran

Santosh Kumar @ Santosh Yadav S/o- Shankar Yadav Resident of Vill-
Chandraul, Ward No-03, P.S.- Nawalpur, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate Mr. Sitesh Kashyap, Advocate
For the State	:	Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Nawalpur P.S. Case No. 105 of 2025 registered for the offences
under Sections 127(2), 115(2), 132, 352, 351(2) and 3(5) of the
B.N.S.

3. As per the prosecution case, the informant has
alleged that while he was present at Siswa Bairagi in connection
with departmental work as a Junior Engineer, the petitioner
along with his associates misbehaved with the informant,
abused him and forcibly took away his mobile phone and the
key of his motorcycle. It is further alleged that upon the
intervention of co-villagers and the ex-Mukhiya, the mobile



phone and the motorcycle key were returned to the informant.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and that no such incident, as alleged had ever occurred. It has further been submitted that from the bare perusal of the F.I.R itself it would appear that the allegation of snatching of the mobile phone and motorcycle key, followed by their alleged recovery, clearly indicates that the petitioner has been falsely implicated and that the prosecution story goes on to show that the allegations are false and concocted one. It has further been submitted that in fact, there exists a monetary dispute between the petitioner and the informant, on account of which the present case has been lodged. It has lastly been submitted that the petitioner carries two criminal antecedents and he is already on bail in both the cases.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Nawalpur P.S. Case No. 105 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage 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, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

(Sourendra Pandey, J)

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