

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87507 of 2025

Arising Out of PS. Case No.-278 Year-2025 Thana- BUXAR MUFFSIL District- Buxar

Niranjan Kumar S/O Umesh Prasad @ Umesh Yadav @ Umesh Kumar
Resident of Village- Parsa, P.O- Rajauli, P.S- Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Anish Kumar, Advocate Mr. Saroj Kumar Chaudhari, Advocate
For the State	:	Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-01-2026 Heard the parties.

2. Petitioner seeks regular bail in connection with Spl.
Case No. 44/25 arising out of Mufassil Buxar P.S. Case No. 278 of
2025 registered for the offences punishable under Sections 308(2),
316(5), 318(4) and 61(2) of the BNS and Sections 7(a) and 7 and
13 of the P.C. Act.

3. The main submissions advanced by Mr. N.K.
Agrawal, learned senior counsel appearing for the petitioner, are
that the petitioner bears no criminal antecedent and has been
languishing in jail since 13.07.2025, the alleged money was being
taken by him at the instruction of co-accused Aditya Kumar, who
was a senior police constable at that time and at the time of
commission of the alleged occurrence, the petitioner was a young



and newly recruited constable, committed the alleged wrong under the influence of the senior constable Aditya Kumar; his past is completely clean, he has suffered a lot as he has been dismissed from service and has been chargesheeted and all the material witnesses of the prosecution, who are to be examined in the trial of the petitioner, are official persons and therefore, there is no chance of tampering with the witnesses or evidence if the petitioner is released on bail at this stage.

4. On the other hand, learned APP appearing for the State has opposed the prayer for bail of the petitioner and submits that there is a serious allegation against the petitioner, as he being a police personnel at the time of commission of the alleged occurrence persuaded other newly recruited constables to give him bribes and accepted the same on the pretext of getting the physical fitness certificate for the newly recruited constables, therefore, he does not deserve the privilege of bail.

5. Heard both sides and perused the relevant materials. Though there is a serious allegation against the petitioner but considering his fair and clean antecedent, the period of custody, and mainly the fact that the main prosecution witnesses who are to be examined in the trial of the petitioner are official persons, and the investigation against the petitioner has been completed and he has also been dismissed from service on account of the alleged



wrong, in my opinion, in the said circumstances, the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Spl. Case No. 44/25 arising out of Mufassil Buxar P.S. Case No. 278 of 2025 on the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Trial Court and shall remain physically present as and when directed by the Trial Court, failing which, in case of his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Trial Court.

(ii) If the petitioner tampers with the evidence or influences the witness(es), in that case, the prosecution will be at liberty to move for cancellation of his bail.

(iii) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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