

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85413 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- PUSA District- Samastipur

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Ajay Kumar S/O Sudin Sah R/o - ward no -7, Partapur, ,Muktapur, P.S -
Kalyanpur,Samastipur Bihar-848102

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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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
PUSA P.S. Case No. 108 of 2025 registered for the offences
under Sections 303(2) of the B.N.S.

3. As per the prosecution story, the informant has
alleged that on 30.07.2025 his vehicle, which was loaded with
24 quintals and 500 grams of maize, was stolen. It is further
alleged by the informant that it was the petitioner and other co-
accused persons who had been claiming shares in his income
and had been threatening him with action and therefore, they
might be the persons behind the alleged incident.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has falsely been implicated



in the present case and there has been no recovery from the conscious possession of the petitioner or from his house of any material alleged to have been stolen. It has further been submitted that the petitioner happens to be the nephew (bhagina) of the informant, which has deliberately been suppressed by the informant. It has been submitted that since the petitioner has been demanding his mother's share in the immovable property, the present false and concocted case has been registered against the petitioner only to settle personal scores. It has lastly been submitted that the alleged date of occurrence is 30.07.2025 whereas the FIR was lodged on 05.08.2025 and that the petitioner carries clean antecedent.

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 PUSA P.S. Case No.



108 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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