

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91036 of 2025

Arising Out of PS. Case No.-867 Year-2025 Thana- KANKARBAG District- Patna

Raushan Kumar S/o- Shashi Ranjan Kumar Resident of Village-Mayapur
Police Station- Katri Sarai, Dist- Nalanda, A/P- Ashok Nagar Road No-11,
C/o- Ashok KUMar Singh, Ps- Kankarbagh Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Pandey, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2026 Heard Mr. Anurag Pandey, learned counsel for the
petitioner and Mr. Jai Narain Thakur, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.09.2025.2025 in connection with Kankarbagh P.S. Case No.
867 of 2025, F.I.R. dated 14.09.2025 for the offences punishable
under Sections 303(2), 318(4), 317(5) and 3(5) of the BNS,
2023 and Section 66(c) of the I.T. Act.

3. According to prosecution case, the informant
arrested the petitioner with other accused persons and on search
two mobile phones were recovered from the possession of the
petitioner. It is further alleged that the petitioner's house was
also searched from where several incriminating articles have
been recovered.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. The petitioner has been apprehended by the police on the basis of suspicion. It appears from the F.I.R as well as seizure list that two mobile phones of Oppo company have been recovered from the possession of the petitioner. He further submits that the said recovered mobile phones are petitioner's mobile phones and not the stolen one and except the suspicion, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 15.09.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, he has been arrested on the basis of suspicion and no incriminating article has been recovered from his possession except the mobile phones which belong to the petitioner only, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-XI, Patna in connection with



Kankarbagh P.S. Case No. 867 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

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