

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 1953 of 2026

Arising Out of PS. Case No.-216 Year-2025 Thana- DHANARUA District- Patna

1. Suraj Kumar Son of Dinesh Prasad Resident of Village- Badih (Badiha), P.S.- Dhanarua, District- Patna
2. Jai @ Vikash @ Vikash Kumar Son of Dinesh Prasad Resident of Village- Badih (Badiha), P.S.- Dhanarua, District- Patna
3. Sardhanand Kumar @ Sardar Kumar Son of Dinesh Prasad Resident of Village- Badih (Badiha), P.S.- Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-02-2026 After some arguments, the learned counsel for the petitioners submits that he shall not be pressing the application of the petitioner nos. 1 and 2, namely, Suraj Kumar and Jai @ Vikash @ Vikash Kumar.

2. Accordingly, the application with respect to the petitioner nos. 1 and 2 stands dismissed as not pressed.

3. Heard the learned counsel for the petitioner no. 3 namely, Sardhanand Kumar @ Sardar Kumar and the learned A.P.P. for the State.

4. The petitioner apprehends his arrest in connection with Dhanarua P.S. Case No. 216 dated 2025 dated 31.03.2025



registered for the offences punishable under Sections 137(2), 140(1), 140(3) and 3(5) of the B.N.S.

5. The prosecution case is to the effect that the informant had gone to market with her husband and had left her son (the victim) and her daughter at home. It is further alleged that one Mantu Singh called her on mobile stating that her son was forcibly made to sit on a motorcycle in front of her house by six unknown persons who took him away somewhere. It is further alleged that when the informant came back to her house, she came to know that it was Suraj Kumar, Vikash Kumar and Sardar Kumar and some other unknown persons who had taken the son of the informant on the motorcycle.

6. The learned counsel for the petitioner submits that petitioner has falsely been implicated in this case though his name has been taken by the informant however the victim was recovered and his statement under Section 183 of the B.N.S.S. was recorded and he had categorically named one Santosh Kumar, Vikash Kumar (petitioner no. 2) and Suraj Kumar (petitioner no. 1) however, he has not taken the name of the petitioner no. 3 in his statement. It has further been submitted that the petitioner no. 3 is own brother of Suraj Kumar and Vikash Kumar and he is well known to the son of the informant



and therefore, he may be released on bail. It has lastly been submitted that the petitioner has three criminal antecedents and he is on bail almost in all cases.

7. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

8. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioner no. 3 namely, Sardhanand Kumar @ Sardar Kumar, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees 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 Dhanarua P.S. Case No. 216 dated 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 BNSS as well as subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial



and shall cooperate in the investigation.

(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) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(v) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Patna within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

9. It is made clear that the observations, if any, made



in this order, shall be of no bearing during the trial.

10. The application stands allowed.

(Sourendra Pandey, J)

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