

COURT OF 3rd DISTRICT & ADDITIONAL SESSIONS JUDGE, MUZAFFARPUR
{A.B.P. No. 1692/2026}
(In connection with Mithanpura P.S. Case No. 236/2018)

Page 1 of 2

Ratnesh Jha, aged about- 48 years, S/o- Late Kalikanandan Jha,
R/o Village- Sugiya Katsari, P.S.- Sheohar, Distt.- SheoharPetitioner.
Vs

State of Bihar..... Opposite Party.

ORDER

16.06.2026. Instant application for grant of anticipatory bail has been filed on behalf of petitioner named above who apprehends his arrest in connection with Mithanpura P.S. Case No. 236/2018 registered for the offences punishable U/s. 188, 414, 34 of I.P.C & 52 of Prisoners Act.

Heard Mr. Anil Kumar Jha, learned advocate for the petitioner as well as Ms. Sangita Sahi, learned Addl. P.P. for the State.

Instant F.I.R. has been registered on the basis of typed application of Jail Superintendent, Shahid Khudiram Bose Central Jail, Muzaffarpur.

Prosecution case, in brief, is that in course of the search conducted in the central jail in the night of 10.07.2018, a sumsung mobile with SIM inserted was recovered beneath the floor from the cell where this petitioner was incarcerating.

Learned advocate for the petitioner has submitted that petitioner is quite innocent. He has only one criminal antecedent except this case which is Sheohar P.S. Case No. 282/2013 in which he is on bail and no bail petition has been filed earlier on his behalf before either this court or the Hon'ble High Court, Patna. Allegation against him is totally false and he came to know about this case in the year 2026 after process u/s 82 Cr.P.C. issued by court was pasted at his house. It has been submitted further that petitioner came out of judicial custody in the year 2022 by the order of the Hon'ble High Court, Patna in I.A. No. 01/2020 passed in Criminal Appeal (D.B.) No. 1165/2016 but the investigating officer did not get him remanded in this case. Learned advocate for the petitioner has also submitted that prison is thoroughly checked and therefore, recovery of illegal items from the cell apparently appears to be false. Hence, he may be granted anticipatory bail.

On the other hand, learned Addl. P.P. has vehemently opposed the grant of anticipatory bail to the petitioner.

COURT OF 3rd DISTRICT & ADDITIONAL SESSIONS JUDGE, MUZAFFARPUR
{A.B.P. No. 1692/2026}
(In connection with Mithanpura P.S. Case No. 236/2018)

Page 2 of 2

Contd.....

Perused the certified copy of F.I.R., and trial court record.

16.06.2026

Having heard learned advocates from both sides and perused the documents mentioned above, this court finds that the F.I.R. has been registered in the year 2018 and as per averments in the anticipatory bail application the petitioner came out from the judicial custody in the year 2022 but from the perusal of trial court record and the case diary especially para 92 and 113, this court finds that processes u/s 82 and 83 of Cr.P.C. have been executed against the petitioner and the execution report has also been submitted. The Hon'ble Supreme Court in a number of cases starting from Lavesb Vs. State (NCT) of Delhi reported in (2012) 8 SCC 730 to Srikant Upadhyay Vs. State of Bihar reported in (2024) 12 SCC 382 has held that accused-persons knowingly defying orders of court and delaying court proceedings are not entitled to grant of anticipatory bail. Therefore, in view of the ratio of the Hon'ble Supreme Court and facts of this case as mentioned above, this court is not inclined to grant petitioner anticipatory bail.

Accordingly, his prayer for bail is hereby **rejected**.

Let a copy of this order be forwarded to the court of Ld. J.M.F.C, Muzaffarpur (East) for information & needful.

Dictated.
Sd/-
(Awdesh Kumar)
3rd Addl. Sessions Judge
Muzaffarpur.

Date of Judgment/order	16.06.2026
Date of Reserving for Judgment/order	
Date of Uploading of order	17.06.2026
Uploaded by	Stenographer