

**IN THE COURT OF SESSIONS JUDGE, PATNA**

**Anticipatory Bail Petition No.836 of 2026.**

**Pankaj Kumar**

..... **Petitioner.**

**Versus**

**The State of Bihar**

**Order  
No.**

**Date**

**O R D E R**

**05      25-03-2026**

- 1.** The **petitioner, Pankaj Kumar**, apprehends arrest in connection with **Shastri Nagar P.S. Case No. 84 of 2026**, registered for offences under Sections 305, 332(c) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS).
- 2.** Heard Sri Kapil Dev Sharma, learned counsel for the petitioner and Sri Rajesh Kumar, learned Public Prosecutor for the State.
- 3.** The prosecution case, in brief, as per the informant Arif Seraj, is that painting and denting work was being carried out in his house by the petitioner as well as co-accused Vikas. It is alleged that on 19.01.2026, between 11:30 AM and 12:00 PM, his domestic helper, Kiran Devi, caught both of them opening a drawer. Both men apologized to Kiran and told her not to mention it to anyone. At night, when the informant's wife checked the cupboard, she discovered that one gold set and one gold ring (valued at approximately Rs.3,00,000/-) were missing. Additionally, Rs.72,000/- were missing from his maternal aunt's cupboard during the course of the same work.
- 4.** Learned counsel for the petitioner submits that the only non-bailable offence for which the petitioner seeks anticipatory bail is under Section 305 of the BNS, which carries a maximum punishment of seven years' imprisonment and is triable by a Magistrate. It is further submitted that from bare perusal of the FIR itself it would be apparent that the informant himself has not seen the petitioner as well as co-accused Vikas, rather he has been told by his domestic help Kiran Devi, that too belatedly. Moreover, nothing has been recovered from the petitioner or the co-accused Vikas. Furthermore, the petitioner has clean criminal antecedent.

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**Contd....  
(25-03-2026)**

5. Learned Public Prosecutor though opposes the prayer for grant of anticipatory bail to the petitioner, however, he fairly submits that nothing has been recovered from the petitioner. He further affirms that the petitioner has clean criminal antecedent as has been recorded by the Investigating Officer in para 17 of the case diary.
6. Having regard to the aforesaid facts and circumstances of the case; nature of offence i.e. severity of punishment in the event of conviction; nature of accusation against the petitioner i.e. merely suspicion; rival submissions of learned counsel for the parties; and clean criminal antecedent of the petitioner, the prayer for anticipatory bail of the above named petitioner is **allowed**. It is ordered that in the event of arrest or surrender before the learned court below within four weeks from the date of receipt of this order, the above-named petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below, subject to the conditions as laid down u/s 482(2) of B.N.S.S.

(Dictated)

Sd/-

(Rupesh Deo)  
Sessions Judge, Patna

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|----------------------------------|------------|
| Date of Judgment/Order           | 25-03-2026 |
| Date of Reserving Judgment/Order | NA         |
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