

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-XXX, PATNA.

A.B.P. No. 1013 of 2026

(Arising out of Sachivalaya P.S. Case no. 08 of 2026)

U/s 338, 336(3), 340(2), 319(2), 318(4) of B.N.S. 2023

1. Rajat Raj @ Rajat @ Rajat Kumar, aged about 27 years, S/o- Bhola Prasad, R/o- Gram Gorari, P.O.- Gorari Karakat, P.S.- Karakat, District- Rohtas.....Petitioner.

Versus

1. State of Bihar.....Opposite Party.

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Ld. Addl. P.P. for State: Mrs. Rabeka Kumari

Ld. Counsel for petitioner: Mr. Satya Prakash Narain, Mr. Raushan Kr. Ld. Adv.

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04.04.2026

1. This anticipatory bail petition no. 1013 of 2026 has been filed by petitioner Rajat Raj @ Rajat @ Rajat Kumar, apprehending his arrest in connection with Sachivalaya P.S. Case no. 08 of 2026 registered u/s 338, 336(3), 340(2), 319(2), 318(4) of B.N.S. 2023.
2. The prosecution story in short is that one Bikarant Kumar S/o Vimal Kumar gave a written complain before S.H.O. of Sachiwalya Police Station alleging therein occurrence committed on 3.1.2026 thereafter Sachiwalya police registered the present case. Informant Bikarant Kumar S/o Vimal Kumar came at Patna for service and reached Ram Lakhan Path and meet a person **Rajat** thereafter **Rajat** send the informant at G.P.O. post office for interview, there a person namely **Ranjeet Kumar (Monu)** taken interview and thereafter all relevant documents deposited by the informant and a call was made by Ranjeet Kumar and total a post-storekeeper vacant in Sachiwalya then interview date and joining letter send to informant. The reporting date on 03.01.2026, Ranjeet Kumar told reporting and joining date send on 5.1.2026 then informant reached of 5.1.2026 then demanding Rs. 1,00,000/- (One lakhs) and Rs. 4,00,000/- (Four lakhs) after one or two day of joining, further alleged that on 12.1.2026 informant reached Sachiwalya Paryatan Bibhag and inquire the matter and asking for vacancy thereafter informant found no vacancy was made by department then informant call Ranjeet Kumar @ Monu and informant told he have commit cheat on basis of false document then Ranjeet Kumar wants to fled away then informant raised "Halla" and Ranjeet Kumar @ Monu caught hold by the guard, According on the basis of the present F.I.R has been lodged.
3. It has been submitted by the Ld. Counsel for the petitioner that the petitioner is quite innocent and has committed no offence as allegation are framed in instant F.I.R. The true and correct facts are that the petitioner had gone only to meet his friend Ranjit. The informant was also present at the spot along with the petitioner. The petitioner, the informant, and Ranjit were together and were merely talking among themselves in a normal and cordial manner. The petitioner left the place, and thereafter Ranjit and Vikram Kumar remained there. The petitioner was not present at the time of the alleged incident, nor did he participate in any subsequent

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conversation or dispute between Ranjit and Vikram Kumar. The petitioner never acted as a mediator, nor did he facilitate, encourage, or assist any alleged offence. His presence was purely accidental and limited to meeting his friend. The petitioner did not commit any act attracting Sections 338, 336(3), 340(2), 319(2), or 318(4) of the B.N.S. Petitioner neither caused hurt nor acted as forged something, nor wrongfully restrained, confined, or deceived any documents. The petitioner had only gone to meet his friend, and at that time the complainant Vikram Kumar was present with him. After a brief interaction, the petitioner left the place and had no role whatsoever thereafter. Hence, the essential ingredients of the alleged sections are not made out against him. The accused has not obstructed the investigation in any manner and there is no possibility of influencing any witnesses. The Petitioner is ready to obey all conditions imposed by this learned Court. The petitioner resides under jurisdiction of this learned court and hence there is no chance of absconding and since the petitioner is law abiding citizen. Hence no chance to tampering with evidence. So many local people are ready to give their sureties for the satisfaction of this learned court. The petitioner is ready to obey any direction laid by this learned court.

4. Learned Addl. P.P. for state has vehemently opposed the bail petition. She submitted that the petitioner have committed cheat on basis of false document and joining letter.
5. Upon considering the material on record and the submission of Ld. Counsel for the parties, I find that the nature and gravity of allegations, particularly in para 12 & 77 of the case diary, it transpires that the applicant was not a mere bystander but an active participant in the alleged crime. The allegations disclose that the applicant arranged multiple victims and was instrumental in executing the fraudulent scheme. It is also pertinent to note that prior to the filing of the present anticipatory bail application, this Court had granted regular bail to certain accused persons only after considering their period of custody. The said order cannot be treated as a precedent for granting anticipatory bail to the present applicant, whose role appears to be distinct and more serious.

The law relating to anticipatory bail is well settled. In **Gurbaksh Singh Sibbia vs. State of Punjab (1980) 2 SCC 565**, the Hon'ble Supreme Court held that anticipatory bail is an extraordinary remedy and must be granted only in exceptional circumstances. Further, in **State of Madhya Pradesh vs. Pradeep Sharma (2014) 2 SCC 171**, it has been held that anticipatory bail should not be granted where the applicant is prima facie involved in a serious offence. In **P. Chidambaram vs. Directorate of Enforcement (2019) 9 SCC 24**, the Hon'ble Supreme Court observed that in cases involving economic offences, which affect the public at large, a strict approach is required while considering anticipatory bail.

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Considering the nature and gravity of the allegations, the specific role attributed to the applicant, and the material available on record indicating his active involvement, this Court is of the view that this is not a fit case for granting anticipatory bail.

Therefore, this Court is of the considered view that the applicant does not deserve the discretionary relief of anticipatory bail.”

Hence, In view of above facts and circumstances, the application for anticipatory bail filed by the applicant is hereby **rejected**.

(Dictated & Corrected)

Sd/-
(Sarika Vahalia)
Additional Session Judge-XXX,
Patna

Date of Order	04.04.2026
Date of reserving order	-
Uploading Date	06.04.2026
Uploaded by	Steno attached with this court