

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 27185/2026

[Arising out of impugned final judgment and order dated 17-01-2026 in CRM No. 89739/2026 in Criminal Miscellaneous No.67283/2025 passed by the High Court of Judicature at Patna]

RAHUL KUMAR

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(IA No. 142941/2026 - CONDONATION OF DELAY IN FILING
IA No. 142943/2026 - EXEMPTION FROM FILING O.T.
IA No. 142942/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 13-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UJJAL BHUYAN

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :

Mr. Shikhar Srivastava, AOR
Ms. Prerna Singh, Adv.
Mr. Abhinav Pandey, Adv.
Mr. Dhananjay Kumar, Adv.

For Respondent(s) :

Mr. Samir Ali Khan, AOR
Mr. Pranjal Sharma, Adv.
Mr. Kashif Irshad Khan Faridi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. We have heard learned counsel for the petitioner and learned counsel for the respondent-State who has appeared on advance notice.
2. Delay condoned.

3. The present petition has been filed against the order dated 17th January, 2026 passed by the High Court of Judicature at Patna (High Court) in Criminal Miscellaneous No.89739 of 2025.

4. Be it stated that the petitioner was earlier granted anticipatory bail by the High Court vide order dated 10th November, 2025 in Criminal Miscellaneous No.67283 of 2025. While granting anticipatory bail, the following condition, amongst others, was imposed:

"7. One of the bailors of the petitioner shall be his father, Umesh Bhagat."

5. Petitioner moved the related Criminal Miscellaneous Application for deletion of the aforesaid condition. However, vide the impugned order, the High Court declined the prayer of the petitioner.

6. After hearing learned counsel for the parties, we are of the view that once the High Court had come to the *prima facie* opinion that the benefit of anticipatory bail should be extended to the petitioner, imposition of such a condition was really not necessary. That being the position, we set aside the condition at paragraph 7 of the order dated 10th November, 2025 by which it was stated that one of the bailors of the petitioner should be his father, Mr. Umesh Bhagat.

7. The Special Leave Petition is accordingly allowed.
8. Pending applications shall also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(AVGV RAMU)
COURT MASTER