



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 4136 OF 2026
(@ SPECIAL LEAVE PETITION (CRIMINAL) NO. 12373 OF 2026)

AJEET KUMAR @ AJIT KUMAR

APPELLANT(S)

VERSUS

THE STATE OF BIHAR & ANR.

RESPONDENT(S)

ORDER

1. We have heard Mrs. Anjana Prakash, learned Senior counsel for the appellant and Mr. Divyansh Mishra, learned counsel for the respondent-State of Bihar.

2. Leave granted.

3. Appellant takes exception to the order dated 27.04.2026 passed by the High Court of Judicature at Patna (briefly the 'High Court' hereinafter), rejecting the regular bail application of the appellant.

4. Appellant is an accused in Crime No.43/2023 registered at Police Station- Buxar Town, District- Buxar, Bihar under Sections 409, 406 and 420 of the Indian Penal Code, 1860 (for short, 'IPC') read with Sections 120B/34 of the said Code.

5. Allegation against the appellant is that appellant

was an employee of Bihar State Seed Corporation Collection Centre at Buxar. It is alleged that while serving so, he had purchased 1291 quintals of wheat from the farmers worth Rs.26,01,315/- but did not pay any money to the farmers. Further allegation is that when the farmers asked for their money, appellant had issued a cheque for an amount of Rs.25,00,000/- in favour of the farmers, which was dishonoured upon presentation.

6. Appellant was arrested on 21.10.2024 and since then, he has been in custody.

7. This Court vide order dated 23.07.2026 had issued notice, pursuant to which respondent-State of Bihar has filed counter affidavit.

8. Learned Senior counsel for the appellant submits that the allegation against the appellant is highly improbable. Appellant being a lowly placed employee, would have no competence to purchase such a huge quantity of wheat. The case appears to be of false implication to cover up the misdeeds of some higher ups. She further submits that the core of the accusation against the appellant is that he had issued a cheque to pay the farmers, cannot be believed for the simple reason that there is no trace of the cheque. Having regard to the period of detention undergone by the appellant, she submits that appellant may be enlarged on bail.

9. Learned counsel for the respondent-State of Bihar, on the other hand, has referred to the averments made in the

counter affidavit and submits that appellant has a history of committing similar offences. He submits that appellant has 09 criminal antecedents but details of only 05 have been mentioned in paragraph No.13 of the counter affidavit. Having regard to the seriousness of the allegations against the appellant, he may not be enlarged on bail, at this stage.

10. In her reply, learned Senior counsel for the appellant submits that in 05 of those cases mentioned by the respondent-State of Bihar, appellant is on bail. That apart, investigation is complete whereafter charge-sheet has been submitted before the Court, though trial has not yet commenced. Continuing with the detention of the appellant, in such circumstances, would not be justified.

11. Submissions made by learned counsel for the parties have received the due consideration of the Court.

12. Having regard to the fact that investigation is complete but trial has not yet commenced and also the fact that appellant is in custody since 21.10.2024, we are of the view that a case for grant of bail is made out.

13. Accordingly, the impugned order dated 27.04.2026 passed by the High Court is set aside. Consequently, we direct that the appellant shall be produced before the jurisdictional Judicial Magistrate within a maximum period of 07 days from today, whereafter he shall be released on bail on such terms and conditions as may be deemed appropriate.

14. Accordingly, the Criminal Appeal is allowed.

15. Pending application(s), if any, shall stand disposed of.

.....J.

[UJJAL BHUYAN]

.....J.

[ATUL S. CHANDURKAR]

NEW DELHI;
01st SEPTEMBER, 2026.
AK

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 12373/2026

[Arising out of impugned final judgment and order dated 27-04-2026 in CR. MISC. No. 81850/2025 passed by the High Court of Judicature at Patna]

AJEET KUMAR @ AJIT KUMAR

Petitioner(s)

VERSUS

THE STATE OF BIHAR & ANR.

Respondent(s)

FOR ADMISSION

(IA No. 195177/2026 - EXEMPTION FROM FILING O.T.)

Date : 01-09-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UJJAL BHUYAN
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s): Mrs. Anjana Prakash, Sr. Adv.
Mr. Anuj Prakaash, Adv.
Mr. Niraj Dubey, Adv.
Mr. Abhigyan Prakash, Adv.
Ms. Sohini Bardhan, Adv.
Mr. Kumar Mihir, AOR

For Respondent(s): Mr. Manish Kumar, AOR
Mr. Divyansh Mishra, Adv.
Mr. Kumar Saurav, Adv.

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

1. Leave granted.
2. The Criminal Appeal is allowed in terms of the signed order placed on file.
3. Pending application(s), if any, shall stand disposed of.

(ABHINAV KUMAR)
COURT MASTER (SH)

(CHETNA BALOONI)
COURT MASTER (NSH)