

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4155 of 2023**

Arising Out of PS. Case No.-272 Year-2021 Thana- AMNAUR District- Saran

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ARYAN PATHAK S/O RAMESHWAR PATHAK Resident of village- Bheldi,  
P.S.- Bheldi, District- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Narendra Kumar, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

5      03-07-2023                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since  
15.02.2022 in connection with Amnour P.S. Case No. 272 of  
2021, F.I.R. dated 30.10.2021 registered for the offence  
punishable under Sections 341,323,354,379,385,504,506/34  
of IPC.

According to prosecution case, three accused  
persons including the petitioner, on pistol point snatched gold  
ornaments from the informant. It is further alleged that  
accused persons abused and threatened to the informant's  
husband.

Learned counsel appearing for the petitioner



submits that the petitioner has falsely been implicated in the present case. Further submits that the petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the statement of the petitioner recorded in Bheldi P.S.Case No.367 of 2021 and the confessional statement of the co-accused, namely, Saurabh Kumar @ Saurabh Singh. Further submits that nothing has been recovered from conscious possession of the petitioner and till date no TIP has been conducted by the prosecution. Further submits that except the self-confessional statement of the petitioner and the confessional statement of the co-accused person, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the petitioner was in custody since 18.11.2021 but he has been remanded in the present case on 15.02.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries six more cases other than the present one but fairly submits that out of six cases, the petitioner is on bail in three cases, in one case, the petitioner has been acquitted and rest two cases are pending for consideration, as mentioned in para-



2 of the supplementary affidavit.

Considering the aforesaid facts and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Saran at Chapra in connection with Amnour P.S. Case No. 272 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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