

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2090 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- DEV District- Aurangabad

Amresh Kumar Son of Arvind Yadav Resident of Village- Bhora Bigaha, P.S.-
Aurangabad Muffasil, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate Mrs. Divya Bharti, Advocate
For the Opposite Party/s	:	Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 05-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Deo
P.S. Case No. 193 of 2024 dated 30.08.2024, instituted for the
offence punishable under Sections 309(6) of the Bhartiya Nyaya
Sanhita, 2023.

3. The prosecution case, in short, is that on the alleged
date of occurrence, the informant was returning home from
Aurangabad. On the way, three unknown persons stopped his
motorcycle bearing registration no. JH 03 X 9200 and started
assaulting him and they managed to escape after snatching the
motorcycle of the informant. A golden locket of the informant
was also snatched.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that police arrested the petitioner and at the police station, the informant identified the petitioner which is clear violation of conducting Test Identification Parade. Learned counsel further submitted that the seized motorcycle was recovered on 05.09.2024 but the petitioner was arrested on 11.09.2024 and remanded on 13.09.2024. Nothing has been recovered from the conscious possession of the petitioner and only on the basis of self confessional statement, the petitioner has been made accused in this case. Lastly, it has been submitted that the petitioner is in custody since 13.09.2024, he has two criminal case against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in Deo P.S. Case No. 193 of 2024, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

5. The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Khatim Reza, J)

Sankalp/-

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