

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3771 of 2025

Arising Out of PS. Case No.-255 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

Neeraj Kumar, Son of Daksharaj Ram @ DakshhRaj Ram, R/o Village -
Maharo Khurd, PS- Mohania, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-01-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Sasaram (M) P.S. Case No. 255 of 2024,
initially registered for the offence punishable under Section 392
of the Indian Penal Code and later on Sections 395 and 412 of
the Indian Penal Code were added.

3. Based upon the written report, it is alleged that
while the informant was standing in railway parking along with
his *tempo*, in the meantime, three persons came there and
requested to go to village *Dhuwan*. In the way, the persons who
were seated in the *tempo* asked him to stop the *tempo* on the
point of pistol and after tiding the hand get him off from the
tempo and looted away his mobile and *tempo*.



4. Learned Advocate for the petitioner contended that the FIR has been instituted against unknown miscreants. However, during the course of investigation, some of the co-accused persons were apprehended and they have confessed their complicity in the crime and disclosed before the police that they have sold the *tempo* to the co-accused Om Prakash Kumar, Pravin and this petitioner on consideration money of Rs. 20,000/-. It is further contended that the co-accused Om Prakash Kumar, whose name has also surfaced on the confessional statement of apprehended person with identical allegation, has been allowed the privilege of bail by this Court in Cr. Misc. No. 62398 of 2024 vide order dated 27.09.2024. The police on the disclosure made by the apprehended persons, raided the house of co-accused Om Prakash Kumar and the *tempo* in question was found parked in front of his house. This fact has also corroborated by the search and seizure. It is the contention of the petitioner that save and except the confessional statement, there is no material suggesting complicity of the petitioner in the crime of loot and snatching away the valuables. Be that as it may, the petitioner has been incarcerated since 03.11.2024 having fair antecedent. Now, the investigation is complete and the charge-sheet has been submitted.

5. On the other hand, learned APP for the State



vehemently opposed the bail application and submitted that the materials available on record clearly suggest the complicity of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case against the petitioner revolves around confessional statement, coupled with the fact that co-accused person having identical allegation, has been allowed the privilege of regular bail, apart from the fair antecedent of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 255 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.



(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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