

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3591 of 2025

Arising Out of PS. Case No.-341 Year-2024 Thana- TRIVENIGANJ District- Supaul

Alok Kumar S/O Kameshwar Prasad Yadav Resident of village- Latona,
Nagar Parishad, Ward No.- 14, P.S.- Tribeniganj, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewanand Tiwari

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-02-2025 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is an application for grant of bail to the petitioner, who is in custody in connection with Triveniganj P.S. Case No. 341 of 2024, registered for the offences punishable under Section 309(6) of the *Bharatiya Nyaya Sanhita*, 2023.

3. The informant, who had been working as Branch Manager in L&T Finance, on 04.09.2024, while he was returning after collecting money from different villages, in the meanwhile, two unknown miscreants riding on a motorcycle intercepted him and on the point of pistol looted away Rs.64,000/- The miscreants also looted the mobile and other valuables. It is also alleged that one of the miscreants fired upon the informant over his thigh due to which he sustained bullet



injury.

4. Learned Advocate for the petitioner contended that the FIR has been instituted against unknown miscreants, however during the course of investigation one Laltu Kumar was apprehended and he confessed his guilt. On the disclosure made by co-accused Laltu Kumar, the stolen looted articles were recovered from his possession. The name of the petitioner has also surfaced on the confessional statement of co-accused Laltu Kumar. Save and except the confessional statement, there is no material to connect the petitioner in the present crime. It is the admitted position that neither the petitioner has been put on Test Identification Parade nor any incriminating material has been recovered from his person or possession, though the investigation is complete and the charge sheet has been submitted.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner bears two criminal antecedents, out of which one is of identical nature. However, he did not controvert the fact that the name of the petitioner has been disclosed by the co-accused person.

6. Regard being had to the submissions made on



behalf of the parties and considering the fact that the only material available on record against the petitioner is the confessional statement and also the fact that despite the petitioner has been incarcerated since 14.09.2024, till date he has not been put on Test Identification Parade, let the petitioner, abovenamed, 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, Supaul in connection with Triveniganj P.S. Case No. 341 of 2024, subject to the condition that one of the bailors shall be the own/close family members 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.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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