

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14471 of 2025

Arising Out of PS. Case No.-27 Year-2024 Thana- HATHIDAH District- Patna

Aman Kumar Son of Raj Kumar Sharma @ Raj Kumar Resident of Village -
Bari Tengrailla, P.O.- Sahar Rampur, P.S.- Naubatpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-03-2025 Heard Mr. Ranjeet Tiwary, learned counsel for the

petitioner and Ms. Sharda Kumari, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
07.03.2024 in connection with Sessions Trial No. 732 of 2024
arising out of Hatidah P.S. Case No. 27 of 2024, F.I.R. dated
03.03.2024 for the offences punishable under Sections 363 and
365 of the Indian Penal Code and later on Sections 364 and 396
of the Indian Penal Code were added.

3. According to prosecution case, one unknown
person stopped the vehicle of the informant whose driver was
Vipin Kumar, and grabbed his mouth and fled away with the
vehicle. At the time of incident the informant was talking with
her driver on a phone and after the incident his mobile was



switched off.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Sunil Pandit who has confessed the name of the co-accused, Amit Kumar @ Amit Kumar Singh and the said Amit Kumar @ Amit Kumar Singh has disclosed the name of the petitioner and except the disclosure made by the co-accused persons, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Sunil Pandit who has confessed the name of the co-accused Amit Kumar @ Amit Kumar Singh has been granted bail by this Court vide order dated 21.09.2024 passed in Cr. Misc. No. 46866 of 2024 and another co-accused, namely, Amit Kumar @ Amit Kumar Singh has been granted bail by this Court vide order dated 28.02.2025 passed in Cr. Misc. No. 86703 of 2024. The petitioner is in custody since 07.03.2024.



5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries 10 criminal antecedents other than the present one but fairly submits on the basis of the supplementary affidavit filed on behalf of the petitioner that the petitioner is on bail in all the cases.

6. Considering the aforesaid facts and circumstances that the petitioner is not named in the F.I.R, name of the petitioner has been transcribed on the basis of the disclosure made by co-accused person and the similarly situated person have been granted bail by this Court, 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 the learned Additional District & Sessions Judge-II, Barh, Patna in connection with Sessions Trial No. 732 of 2024 arising out of Hatidah P.S. Case No. 27 of 2024, subject to the following conditions:-

i. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



ii. 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.

iii. 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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