

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9442 of 2025

Arising Out of PS. Case No.-442 Year-2024 Thana- HISUWA District- Nawada

=====

Maihar Kumar Singh @ Suraj Kumar Son of Late Ramashray Prasad Singh
Resident of Village - Darogabigha, P.S.- Deep Nagar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 22-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the petitioner in connection with Hisua P.S. Case No.442 of 2024 registered for the offence under sections 310(2), 317(3) of the B.N.S and Sections 25(1-B), 26 and 35 of the Arms Act.

3. The allegation in the F.I.R is that the petitioner had committed dacoity along with other accused persons and while committing so, looted a bullet motorcycle of the informant on the gun point.

4. It is submitted by learned counsel for the petitioner that F.I.R was registered against unknown. The name of the petitioner has transpired in this case on confessional statement of co-accused Goldy Singh @ Kumar Abhijyot who has already



been granted bail by a co-ordinate Bench of this Court vide order dated 29.01.2025 passed in Cr. Misc. No. 79260 of 2024. It is no doubt the fact which would appear from the bare rejection order of the learned trial Court that he has admitted that the alleged motorcycle was in his garage and subsequently, the alleged motorcycle along with fire arms has been recovered from the said garage. However, learned counsel for the petitioner has submitted that the said recovery has actually been made from a cow shed which is an open space and is not totally in the constructive possession of the petitioner. The petitioner is in custody since 09.08.2024 and undertakes to co-operate in the case/trial. Chage-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State on the ground that the petitioner has three criminal antecedents. However, in response learned counsel for the petitioner submits that he is on bail on the said case.

6. Taking into consideration the fact that the petitioner is in custody since 09.08.2024 and charge-sheet has been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Hisua P.S. Case No.442 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned A.C.J.M-VI, Nawada on the condition that the petitioner shall remain physically present in the trial in the learned trial Court till the framing of charge and in case the petitioner will absent on two consecutive dates, the learned trial Court will be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

Harsh/-

U		T	
---	--	---	--

