

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10945 of 2025

Arising Out of PS. Case No.-142 Year-2024 Thana- GWALPARA District- Madhepura

1. Banti Kumar @ Ratnesh Kumar, Son of Savendra Yadav,
2. Md. Mannan, Son of Md. Jahir,
Both are residents of Village- Tema Bhela Kantahi, Ward No.05, P.S. -
Gwalpara (Arrar O.P.), District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen, Advocate
Mr.Barun Kumar Singh, Advocate
For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Gwalpara P.S. Case No. 142 of 2024, registered for the offence under Sections 309 (6), 3 (5) of BNS, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, two persons riding a motorcycle overtook the motorcycle of the informant and threatened him with their guns. They snatched Rs.21,000/- and a mobile phone from the associate of the informant. While fleeing away from the spot, they shot at the informant in his leg.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. The present case has been lodged after a delay of three days. The learned counsel further submits that it is a case of false implication as the petitioner no. 1 and the informant are residents of two different police stations and there is no occasion for the informant to identify the petitioner no. 1 with his name and parentage. Moreover, money was snatched from the associate of the informant, but he did not lodge any case against the miscreants though he was not injured or harmed in any manner. The learned counsel further submits that the petitioner no. 1 is having criminal antecedent of six cases and the petitioner no. 2 is having criminal antecedent of three cases. The petitioners are in custody since 05.10.2024 and charge sheet has been submitted.

5. Learned A.P.P. vehemently opposes the submission made on behalf of the petitioners. Learned A.P.P. submits that the petitioners appear to be habitual offenders.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the submission of charge sheet and period of custody of the petitioners, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand



Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Udakishunganj, Madhepura/concerned court, in connection with Gwalpara P.S. Case No. 142 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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