

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10833 of 2025

Arising Out of PS. Case No.-531 Year-2023 Thana- BARBIGHA District- Sheikhpura

Niraj Kumar S/O Gauri Rai R/O Village- Bariyarpur, P.S- Bakhityarpur,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate
For the Opposite Party/s : Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Barbiga P.S. Case No. 531 of 2023, instituted for the offences
punishable under Section 395 of the Indian Penal Code.

3. The prosecution case, in short, is that, the informant
is the Area Manager of Ashirvad Micro Finance Ltd. and he is
posted at Akhorigola. It is alleged that some unknown persons
attacked his Branch and looted away gold, Cash of Rs.
2,11,245/- and other articles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. It is further submitted that neither any looted article has been recovered from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 03.01.2025 and has got one criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 14.05.2024 passed in Cr. Misc. No. 29004 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Barbigha P.S. Case No. 531 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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