

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11703 of 2025

Arising Out of PS. Case No.-78 Year-2024 Thana- BALIYA District- Begusarai

Piyush Kumar @ Fuchka S/O Amod Singh R/O Village- Sihma, Ward No. 15,
P.S- Matihani, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nidhi Anand, Advocate
	:	Ms. Suruchi Anand, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-02-2025 Heard Mr. Nidhi Anand, learned counsel for the
petitioner and Mr. Surendra Prasad Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
27.09.2024 in connection with Ballia P.S. Case No. 78 of 2024,
F.I.R. dated 04.03.2024 for the offences punishable under Sections
394 of the Indian Penal Code and Section 25(1-b)a/26 and 27 of
the Arms Act.

3. According to prosecution case, after closing the
jewellery shop, the informant along with one another person went
to their house keeping 500gms of gold, around 6-7 kg of silver and
Rs.50,000/- cash. On the way, the petitioner alongwith other co-
accused came on motorcycle and snatched jewelries and cash from
the informant. It is further alleged that they hit the informant with



strike of butt of pistol, fired in air and fled away.

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 FIR and the petitioner's name has been transpired in the present case only on the basis of confessional statement of co-accused person, namely, Shubham Kumar. He further submits that nothing has been recovered from the conscious possession of the petitioner and till date no TIP was conducted by the prosecution and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 27.09.2024.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has seven more criminal cases other than the present one but fairly submits on the basis of the paragraph no.3 of the bail petition that in four cases, he is on bail, in one case, he has been acquitted and other two cases are pending for consideration before competent Court of law.

6. Considering the aforesaid facts and circumstances, 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 J.M.F.C., Begusarai



in connection with Ballia P.S. Case No. 78 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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