

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14329 of 2025

Arising Out of PS. Case No.-502 Year-2023 Thana- HARSIDHI District- East Champaran

Tej Pratap @ Tej Pratap Kumar @ Tej Pratap Yadav, aged about 20 years,
Male, Son of Mahendra Yadav @ Mahindra Yadav, Resident of village -
Dhwahi, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Harsidhi P.S. Case No. 502 of 2023 instituted for the offences
punishable under Sections 413, 414, 120(B) of the Indian Penal
Code and Sections 25(1-A) (1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, there is recovery of
motorcycles, mobiles and other incriminating articles from the
possession of the co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He further submits that
petitioner was not arrested at the spot. Neither any incriminating



articles has been recovered from the conscious possession of the petitioner nor the petitioner has put on Test Identification Parade. He further submits that the name of the petitioner has been surfaced in this case only on the basis of confessional statement of co-accused persons namely Prithvi Raj, Prince and Alok Kumar. He next submits that except confessional statement of co-accused, there is no any evidence or material to show his complicity in the alleged occurrence. He lastly submits that similarly situated co-accused persons namely Reyaj Khan and Shivam Kumar has been granted regular bail and anticipatory bail by a co-ordinate Benches of this Court. Petitioner is in custody since 15.11.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the case dairy, FIR and impugned order of the learned Additional Sessions Judge-III, Motihari, East Champaran dated 20.01.2025, it appears that on the basis of confessional statement of the apprehended co-accused persons namely Prithvi Raj, Prince and Alok Kumar, the petitioner has been made accused in this case. There is no any recovery from the conscious possession of the petitioner. Similarly situated co-accused persons namely Reyaj Khan and Shivam Kumar have already been granted regular bail and



anticipatory bail by a co-ordinate Benches of this Court in Cr. Misc. Nos. 86158 of 2023 and 5683 of 2024 vide orders dated 11.01.2024 and 09.04.2024, respectively, so consider all these aspects of the matter, I am inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 502 of 2023.

(Ramesh Chand Malviya, J)

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