

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11543 of 2025

Arising Out of PS. Case No.-306 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

Pratik Singh @ Priyanshu Kumar @ Priyanshu Singh S/O Ramesh Singh @
Ramesh Kumar Singh @ Ram Kishor Singh Resident of Village- Bhatkarya,
PS- Sangrampur, District- East Champaran. at present resident of Agarwa, PS-
Town (Motihari), District- East Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-02-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Motihari Town P.S. Case No. 306 of 2024,
registered for the offence punishable under Sections 399, 402
and 120(B)/34 of the Indian Penal Code, Section 25(1-AA),
25(1-A), 25(1)(d), 26 and 35 of the Arms Act and Sections
20(B)(ii)(c), 23(c) and 29 of the Narcotic Drugs and
Psychotropic Substances Act, 1985.

3. The police, on a tip off assemblage of miscreants,
conducted raid and apprehended three persons. However, other
accused persons were succeeded to flee away. The apprehended



persons disclosed the name of the petitioner and his associates. On search, various incriminating materials including pistol, live cartridges and *charas* like substance were recovered.

4. Learned Advocate for the petitioner referring to the FIR contended that admittedly the name of the petitioner has surfaced on the disclosure made by the apprehended persons. Save and except the disclosure, there is no material suggesting the complicity of the petitioner in the crime. Co-accused persons, namely, Rohit Kumar and Md. Musharib Khan @ Mosharib Khan, from whose possession one knife and mobile phones were recovered, they have been allowed the privilege of regular bail by this Court in Cr. Misc. No. 54629 of 2024 vide order dated 14.08.2024 and Cr. Misc. No. 63753 of 2024 vide order dated 04.10.2024 respectively. It is further contended that the name of the petitioner has been implicated in this case only on account of his past two criminal antecedent and now the petitioner has been incarcerated since 29.10.2024; the investigation of the crime is complete and the charge sheet has been submitted.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner bears two criminal antecedents as has been disclosed



in paragraph no. 3.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that save and except the disclosure made by the apprehended persons, there is no material against the petitioner; moreover the investigation is complete and the charge sheet has been submitted, let the petitioner, named above, 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 learned Special Judge, East Champaran, Motihari in connection with Motihari Town P.S. Case No. 306 of 2024, NDPS G.R. Case No. 47 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be



cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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