

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16613 of 2025

Arising out of PS. Case No.-135 Year-2024 Thana- ATRI District- Gaya

1. Bikku Kumar @ Bittu Kumar @ Prafull Kumar Son of Subodh Singh @ Subodh Kumar Resident of Village- Pandey Bigha, Police Station- Atri, District- Gaya
2. Dimpal Kumar Son of Tanik Singh Resident of Village- Pandey Bigha, Police Station- Atri, District- Gaya
3. Angad Kumar @ Angad Jee Son of Pawan Singh Resident of Village- Pandey Bigha, Police Station- Atri, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s: Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 29-05-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

2. The petitioners seeks bail in connection with Atri P.S. Case No. 135 of 2024 instituted for the offences under Sections 341, 323, 379, 385, 386 and 34 of the Indian Penal Code. Petitioner nos. 1 and 2 have five criminal antecedents and Petitioner no. 3 has six criminal antecedents.

3. As per the FIR, seven named and ten unknown persons including the petitioners assembled and threatened to kill the informant and they all tried to burn the pocklane machine by pouring kerosene oil. It is further alleged that they demanded Rs. 5 Crores as extortion money and on non-fulfilment of the



same he will face dire consequences. It is also alleged that they took away Rs. 1.5 Lacs cash from the staff.

4. It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case and there is no specific overt act against the petitioners and it was on account of personal rivalry the petitioners have been implicated in the present case. It is further submitted by learned counsel for the petitioners that there are criminal antecedents against the petitioners, however, from perusal of the same it would suffice that the petitioners have falsely been implicated in this case by the police since they carry similar nature of cases against their names. It is also submitted by learned counsel for the petitioners that similarly situated co-persons namely Sonu Kumar @ Raghwendra Kumar and Chandra Bhushan Kumar @ Rahul Kumar have been granted bail by a Co-ordinate Bench of this Court *vide* order dated 05.09.2024 passed in Cr. Misc. No. 61393 of 2024 and order dated 28.10.2025 passed in Cr. Misc. No. 59125 of 2024 which are annexed as Annexure-2 series. It is lastly submitted that the petitioners are in custody since 19.11.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.



6. Considering the aforesaid submissions of learned counsel and taking into account the fact that similarly situated co-accused persons have been granted bail by a Co-ordinate Bench of this Court and the petitioners are in custody since 19.11.2024, the petitioners above named, are directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate, 1st Class, Gaya in connection with Atri P.S. Case No. 135 of 2024, subject to the the 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 Court below, if so required by the learned Trial Court.

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

(iv) And further condition that the court below shall verify the criminal antecedent



of the petitioners except as above-mentioned cases and in case at any stage it is found that the petitioners has concealed his criminal antecedent except as above-mentioned cases, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

7. In view of the antecedents of the petitioners, the petitioners are directed to appear before the Superintendent of Police, Gaya within fifteen days of their release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned.

(Sourendra Pandey, J)

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