

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15325 of 2025

Arising Out of PS. Case No.-116 Year-2024 Thana- NATHNAGAR District- Bhagalpur

Niraj Kumar @ Pushpraj Son of Manoj Yadav @ Manoj Kumar Yadav R/o
Village- Bhatodiya, PS- Madhusudanpur, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.M. Ashraf, Advocate Mrs. Rana Hason, Advocate Mrs. Homa Yunus, Advocate
For the Opposite Party/s :		Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nathnagar (Madhusudanpur) P.S. Case No. 116 of 2024 registered for the offences punishable under Sections 399, 402, 414 of the Indian Penal Code and Sections 25 (1-B)(a), 26 and 34 of the Arms Act.

3. As per the prosecution story, the informant being a police personal has alleged that on 20.02.2024, has alleged that during the course of patrolling, at about 21:20 P.M. he received a secret information that near the Rajendra Sthan Yatri Shed five miscreants were planning to commit robbery and pursuant to the



said information at about 21:40 P.M. he raided and apprehended three persons including the present petitioner and recovered a live cartridge from the pocket of the petitioner.

4. Learned counsel for the petitioner submits that the charge has been framed against the petitioner on 04.12.2024 but till date not a single witness has been examined by the prosecution. The seizure list appears to be forged and fabricated for the reason that it has been prepared on 20.02.2024 at 22:25 P.M. and bears F.I.R. No. while formal F.I.R. has been drawn on 20.02.2024 at 21:00 P.M. and hence it violates a mandatory provision of Section 100(6) Cr.P.C. and thereby demolishes the entire prosecution story. Learned counsel further submits that nothing has been recovered from the possession of the petitioner and he has falsely been implicated and made a victim of deep rooted conspiracy by the police.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. During the course of argument learned counsel for the petitioner submits that the petitioner is in custody since 21.02.2024 and on 04.12.2024, charges have been framed. Keeping in view the aforesaid facts and considering the period under custody, 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 learned Additional Sessions Judge-I, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 116 of 2024 subject to the following conditions :-

- (i). He will remain physically present on each and every date in the Trial Court till the disposal of this case.
- (ii). One of the bailor will be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

U		T	
---	--	---	--

