

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17277 of 2025

Arising Out of PS. Case No.-239 Year-2024 Thana- RAMPUR District- Gaya

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Avinash Kumar S/o Budhi Nath R/o Village- Kharagpur, PS- Kharagpur,
Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2025 Heard Mr.Sudhir Kumar Sinha, learned counsel

for the petitioner and Mr.Umesh Lal Verma, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Rampur P.S.Case No.239 of 2024,FIR dated
20.05.2024 registered for the offences punishable under
Section 392 of IPC.

3. Prosecution cane, in brief, as per written report of
the informant Sanjay Kumar Keshari stating therein that on
20.05.2024 at about 9.30 hours he was going PN.B. Bank
Branch A.P. Colony for deposit the collection amount of
Rs.1,30,000- by red colour Sine Bike in the mean time four
accused persons have stopped the motorcycle and on the point



of pistol they have snatched the bag in which kept the collection amount and fled away by their motorcycle. Hence this case.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Japhar Khan and except the aforesaid, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and co-accused person, namely, Md. Saghir @ Md. Saghir Khan has been granted privilege of anticipatory bail by this Court vide order dated 10.04.2025 passed in Cr. Misc. No.15202 of 2025.

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

6. Considering the aforesaid facts, petitioner has clean antecedent, name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Japhar Khan and similarly situated co-accused person, namely, Md. Saghir @ Md. Saghir



Khan has been granted privilege of anticipatory bail by this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned C.J.M., Gaya in connection with Rampur P.S.Case No.239 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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