

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25999 of 2025

Arising Out of PS. Case No.-214 Year-2023 Thana- KESARIA District- East Champaran

Ashwini Singh @ Anish Singh@Awanish Singh Son of Vijay Kunwar@ Vijay Kumar Resident of Village- Dilawarpur, Baba Tola, P.S.- Keshariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Keshariya P.S. Case No. 214 of 2023 instituted for the offences under Section 392 of the Indian Penal Code.

3. As per prosecution case, three unknown miscreants have snatched the Hero HF Delux motorcycle of the Informant on the point of pistol.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has surfaced in this case in course of investigation on the basis of



the confessional statement of the co-accused Chhotan Kumar who has already been granted bail by a Co-ordinate Bench of this Court vide order dated 01.08.2023 passed in Cr. Misc. No. 47629 of 2023. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence though the confession of the co-accused Chhotan Kumar had led to recovery of the alleged motorcycle. The petitioner has two criminal antecedents and is languishing in judicial custody since 26.10.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Keshariya P.S. Case No. 214 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family



members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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