

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22012 of 2025

Arising Out of PS. Case No.-298 Year-2024 Thana- SHEOHAR District- Sheohar

Amar Kumar Son of Ramchandra Mahto Resident of Village - Mudhadih
(Muraha Dih), P.S. - Kanhauli, District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sheohar P.S. Case No. 298/2024 registered for the offences
punishable under Sections 303(2) of the B.N.S.S.

3. As per prosecution case, the informant parked his
motorcycle and when he returned he did not found his
motorcycle in question. FIR has been lodged against unknown.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The petitioner is not named in the FIR and the name of
petitioner transpired in this case on the basis of confessional
statement co-accused Manish Kumar. Except confessional
statement of co-accused, there is nothing on record to



demonstrate the complicity of the present petitioner with the alleged occurrence. No incriminating article has been recovered from the conscious possession of the petitioner or from his house. He further submits that the petitioner is languishing in custody since 05.11.2024 and bears criminal antecedent of one case in which he is on bail. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submits that name of the petitioner transpired in this case on the basis of confessional statement of co-accused Manish Kumar.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named 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 Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S. Case No. 298/2024, subject to following



conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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