

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22799 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- KOTWA District- East Champaran

Navi Aalam S/O Hamid Miya @ Mishraili Miya @ Mishrali Sahab R/O
Village- Siswa Patna, P.S- Keshariya, Distt.- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

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

2. Petitioner is in custody in a case registered for an offence punishable under Sections under Section 392 of I.P.C. in connection with Kotwa P.S. Case No.165 of 2024.

3. As per the prosecution story, informant is working on the post of Swananda Swapurti finance in brach Kotwa, East Champaran, on 08.06.2024 when the informant was on his way to Bishambharpur branch on his motorcycle with cash collection of about Rs.143685/-. In the meantime, two miscreants stop the motorcycle and taken the key then threw it and started assaulting him with knife and fled away with money and mobile.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in this case.



He further submits that there is no specific allegation against the petitioner. Petitioner is in custody since 20.09.2024. He further submits that petitioner has got only one criminal antecedent as stated in para-3 of the bail petition. He further submits that petitioner is not named in the F.I.R whereas name of the petitioner surfaced from his self-confessional statement when police remanded him in the Kalyanpur P.S. Case No.204 of 2024. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that similarly situated co-accused persons, namely, Niraj Kumar Yadav and Tunnu Kumar @ Tuntun Kumar @ Aniket has already been granted bail by a co-ordinate Bench of this Court vide order dated 15.01.2025 passed in Cr. Misc. 88181 of 2024. He next submits that investigation has already been concluded and accordingly, chargesheet has also been submitted and no TIP has been conducted during the investigation.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, submission of the learned counsel for the petitioner as well as the fact that nothing has been recovered from the conscious possession of the petitioner and similarly situated co-accused persons, namely, Niraj Kumar Yadav and Tunnu Kumar @ Tuntun Kumar @ Aniket has already been granted bail by a co-ordinate Bench of this Court vide order dated 15.01.2025 passed in Cr. Misc.



88181 of 2024, let the above named petitioner be released on bail, on their furnishing bail bonds of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Chief Judicial Magistrate, Motihari, East Champara, in connection with Kotwa P.S. Case No.165 of 2024.

(Ramesh Chand Malviya, J)

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