

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24569 of 2025

Arising Out of PS. Case No.-164 Year-2024 Thana- AMNAUR District- Saran

Pritam Kumar S/o- Late Upendra Ray @ Upendra Ray Village- Jahari Pakari
Ps- Amnaur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhumala Kumari, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 10-10-2025 Heard the parties.

2. The petitioner seeks bail in connection with Amnour
P.S. Case No. 164 of 2024 registered for the offence under
Sections 395 and 412 of the I.P.C.

3. The petitioner is not named in the F.I.R. and is in
custody since 07.06.2024.

4. The allegation against the petitioner is to commit
dacoity in Central Bank of India, Apher Branch along with other
co-accused persons and while committing so, looted cash of Rs.
8,94,988/-.

5. Learned counsel appearing on behalf of the
petitioner submitted that the name of this petitioner transpired
during course of investigation out of confessional statement of
co-accused namely Janu Kumar Sah @ Mangol Kumar @ Janu



Kumar Rai in furtherance of which no incriminating material appears recovered/ surfaced as to connect petitioner *prima-facie* with present crime in question. It is submitted that petitioner was not put on TIP as yet.

6. Arguing further, it is submitted that one of the reason for false implication of petitioner with present case is criminal antecedents as he found involved in nineteen more criminal cases, where he is on bail in seventeen cases and in maximum cases his name transpired either on the basis of suspicion or on the basis of confessional statement of co-accused as of present case having otherwise no evidentiary value under law. It is pointed that if merit of the case otherwise favorable merely on the basis of criminal antecedents the prayer of bail of petitioner cannot be ordinarily declined for which learned counsel relied upon the legal report of ***Prabhakar Tewari vs. State of Uttar Pradesh and Anr.*** reported in ***(2020) 11 SCC 648***. While concluding the argument, it is submitted that, investigation of this case is already completed, and as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. In view of aforesaid factual submission and by



taking note of fact as save and except suspicion arising out of confessional statement of co-accused as discussed aforesaid *prima-facie* nothing incriminating appears against this petitioner as to connect *prima-facie* with present crime in question, coupled with fact that investigation of this case already completed where petitioner remains in custody since 07.06.2024, accordingly petitioner above named, is directed to be released on bail in connection with Amnour P.S. Case No. 164 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge III cum Special Judge, MP, MLA, Saran, Chapra /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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