

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22422 of 2025

Arising Out of PS. Case No.-546 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Aakash Kumar @ Akash Kumar Son of Ramashray Kharwar @ Ramashray Mahto Village- Loharpatti, Nechwajalapur, P.S. Kuchaikote, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Rajendra Prasad Nat

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 Kuchaikote P.S. Case No. 546 of 2024 registered for the offences punishable under Section 309(4) of B.N.S.

3. As per prosecution case, informant's mobile, purse and Rs. 6,000/- was looted by the accused persons on the point of knife. It is alleged that co-accused Ravi Kumar made obscene video of informant from his mobile and on the threat of making video viral forced the informant to transfer the money from mobile. Meanwhile, police came and apprehended three accused persons including the petitioner whereas two co-accused persons managed to escape. It is alleged that one knife was



recovered from possession of apprehended accused Ravi Kumar. It is also alleged that looted grey colour purse was recovered from possession of the petitioner and looted mobile was recovered from possession of apprehended accused Anshu Kumar.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He further submits that being friend of co-accused Ravi Kumar Singh, petitioner has falsely been implicated in this case. He further submits that except suspicion, there is nothing on record to connect the present petitioner with the alleged occurrence. He further submits that police took signature of the petitioner on plain paper and later on converted the same into a false and fabricated seizure list, though nothing was recovered from possession of the petitioner. Seizure list has not been made as per law. He further submits that although petitioner is named in the FIR but only specific allegation against the petitioner is that gray colour purse of the informant was recovered from the pocket of the petitioner but there is nothing in the seizure list to show that said purse contained any money or any valuable article. He further submits that apprehended accused Ravi Kumar Singh @ Ravi Kumar has



already been granted bail by a co-ordinate Bench of this Court vide order dated 18.03.2025 passed in Cr. Misc. No. 15518 of 2025 whereas petitioner is languishing in custody since 29.12.2024. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, co-accused has already been granted bail, 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 bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Kuchaikote P.S. Case No. 546 of 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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