

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25406 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- MOHANPUR District- Samastipur

Vinod Ray S/o Chandeshwar Ray Resident of village- Dakshin Dumri
Chapra, PS- Mohanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-07-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Mohanpur P.S. Case No. 107 of 2024, instituted for the offences punishable under Sections 309(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, the informant was intercepted by three unknown miscreants and they looted Rs. 4,20,000/- from the informant on gun point and fled away from the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of self confession made by petitioner and the same has got no evidentiary value and the petitioner was apprehended by the police on the basis of suspicion. It is next submitted that neither any recovery has been made from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 10.02.2025 and has got four criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 30.01.2025 passed in Cr. Misc. No. 78962 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of Court below/concerned Court in connection with Mohanpur P.S. Case No. 107 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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