

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24448 of 2025

Arising Out of PS. Case No.-27 Year-2024 Thana- JITNA District- East Champaran

Pawan Kumar Son of Ramdayal Sah @ Ramdayal Prasad Resident of village
- Bara Pakchi, P.S.- Lakhaura, District - East Champaran, Motihari.
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the State : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-08-2025 Heard the parties.

2. The petitioner is in custody in connection with Jitna P.S. Case No. 27 of 2024 for the offence punishable under sections 309(4) of the B.N.S., lodged on 19.10.2024 by the informant, Aniket Kumar.

3. As per the prosecution story, the informant alleged that while going to CSP Branch carrying bag containing HP Laptop and some cash/document, it was intercepted near Jamni bridge by three unknown accused who looted the bag and escaped. This led to the F.I.R.

4. Subsequently, the investigation took the Police to the door of the petitioner who confess to the crime stating that due to his family's financial condition, he came under wrong company and started looting and then had good escape to Nepal. This time also he was also on way to Nepal but arrested.

5. Learned counsel for the petitioner submits that it is a



confession before the Police, he is in custody since 19.10.2024, no T.I. Parade conducted and if granted bail, he shall leave East Champaran for three months and shall be giving the whereabouts to the Police Station of his stay for three months visiting it every fortnight and upon return shall visiting the Police Station of present case for next nine months every fortnight and both the certificate shall be submitted to the court concerned.

6. Learned APP opposes the prayer for bail submitting that the petitioner has criminal antecedent.

7. Taking into account the submission of the parties as also his period of custody coupled with the fact that trial is not likely to be taken, an undertaking has been given as recorded above, in that background, this Court is inclined to extend him the privilege of bail.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Siharhana at Dhaka, Motihari, East Champaran in connection with Jitna P.S. Case No. 27 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned local police station where he will shift every fortnight for three months after leaving Jitna Police Station and thereafter for the next nine months shall appear before the Jitna Police Station every fortnight to mark his attendance and the two certificates be submitted before the Trial Court failing which appropriate steps shall be taken for the cancellation of his bail bond;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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