

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25473 of 2025

Arising Out of PS. Case No.-137 Year-2024 Thana- Patarghat District- Saharsa

Pintu Kumar S/o- Nago Yadav Village- Laxmipur Ps- Patarghat Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Pushpa Sinha, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Patarghat P.S. Case No. 137 of 2024 instituted for the offences under Sections 392, 411 of the Indian Penal Code and 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that three miscreants on the point of pistol looted mobile phone and cash amounting to Rs. 7,000/- from the informant and fled away. Later, on ruckus, the accused persons including the petitioner were identified with the help of the villagers.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired in this case on the basis of



suspicion. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted mobile phone or cash. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.09.2024 and has eight criminal antecedents. The co-accused persons have already been granted bail by this Court vide orders dated 18.11.2024 & 20.12.2024 passed in Cr. Misc. No. 79805 of 2024 & Cr. Misc. No. 82295 of 2024.

5. Learned A.P.P. 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 as also the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Patarghat P.S. Case No. 137 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.

(III) If the petitioner tampers with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(IV) If the petitioner is found indulged in any criminal activity or commission of any crime after being released on bail, the prosecution will be at liberty to file an appropriate application before the court below for cancellation of his bail.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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