

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33284 of 2025

Arising Out of PS. Case No.-190 Year-2022 Thana- SHAHKUND District- Bhagalpur

Rishi Sharma @ Rishi Raj Sharma Son of Manoj Kumar Sharma Resident Of
Village -Mahota Paidapur, PS -Amarpur, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-07-2025 Heard Mr. Pankaj Kumar, learned counsel for the

petitioner as well as Mr. Madan Kumar, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
30.10.2024 in connection with Sahkund P.S. Case No. 190 of
2022, F.I.R. dated 08.07.2022 for the offences punishable under
Sections 392 of the Indian Penal Code.

3. According to prosecution case, the informant
alleged that when he arrived at Bhagalpur bear Milky School,
then near Chandan Bridge, five persons on two motorcycle
stopped him on point of pistol and they snatched his motorcycle,
money and mobile phone and ran away.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the petitioner is not named in the FIR and the name of the petitioner transpired on the basis of confessional statement of co-accused person, namely, Lovely Sharma and during investigation the petitioner was remanded in this case from Amarpur P.S. Case No. 383 of 2022 and till date no TIP has been conducted by the prosecution. The petitioner is in custody since 30.10.2024

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries seven criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, petitioner is not named in the FIR and his name transpired on the basis of confessional statement of co-accused person and till date no TIP has been conducted by the prosecution, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Bhagalpur in connection with Sahkund P.S. Case No. 190 of 2022, subject to the following conditions:-

- i. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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