

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29230 of 2025

Arising Out of PS. Case No.-97 Year-2021 Thana- KHAIRA District- Saran

Om Prakash Sah @ O.P. Son of Kanhaiya Sah Resident of Village - Rampur,
P.S.- Gaura O.P., District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mili Kumari, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-05-2025 Heard Ms.Mili Kumari, learned counsel for the
petitioner and Mr.Anant Kumar 1, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
02.09.2021 in connection with S.Tr.No. 1095 of 2024 arising
out of Khaira P.S. Case No. 97 of 2021, F.I.R. dated 27.03.2021
registered for the offence punishable under Sections
395,397,412 of IPC.

3. According to prosecution case, this petitioner along
with other accused persons intercepted the motorcycle of the
informant and looted cash and ledger of the informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. It appears from the FIR that the name of the
petitioner has been transpired on the basis of the disclosure



made by the co-accused persons, namely, Rishi Kumar and thereafter the petitioner has also confessed his guilt in the present occurrence and till date no TIP has been conducted by the prosecution. Further submits that co-accused persons, namely, Akash Kumar Singh @ Akash Kumar, Rahul Kumar @ Rahul Singh and Guddu Kumar @ Aurangzeb @ Aurangzeb Baitha have been granted regular bail by different Coordinate Bench of this Hon'ble Court vide orders dated 27.01.2022, 22.09.2022 and 29.03.2023 passed in Cr. Misc. Nos.50059 of 2021, 34009 of 2022 and 63538 of 2022 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 02.09.2021.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries twenty more cases other than the present one but he fairly submits that out of twenty cases, the petitioner is on bail in nineteen cases, and rest one case is pending for consideration, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact as well as period of custody, 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 learned



District and Additional Sessions Judge-VIII, Chapra, Saran in connection with S.Tr.No. 1095 of 2024 arising out of Khaira P.S. Case No. 97 of 2021, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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