

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32086 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Amit Kumar S/o Kedar Prasad Mahto R/o Village- Surapur (Surajpur), P.S.-
Pipra Kothi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 22-05-2025 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection
with Muffasil P.S. Case No. 60 of 2025 registered for the
offences under Section 309(4) of the BNS.

3. The prosecution case is to the effect that the
informant while returning to his home was intercepted by a
bolero car with two persons seated and which hit the back
of the informant's bike and on the point of pistol the
mobile phone of the informant and his friend's mobile and
Rs. 2,000/- cash was snatched away by the unknown
miscreants and subsequently they fled away.

4. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R., and no incriminating article is said to have been recovered from the conscious possession of the petitioner. It has further been submitted that the name of the petitioner has surfaced on the confessional statement of the co-accused Dheeraj Kumar. It has next been stated that charge-sheet has already been submitted and the petitioner has clean antecedent and he is in custody since 16.02.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and states that the petitioner has been apprehended with a pistol subsequent to the filing of the F.I.R.

6. Considering the aforesaid submissions by the learned counsel for the parties and taking into account that the petitioner's name has surfaced on the confessional statement of the co-accused and no incriminating article has been recovered and also the fact that the charge-sheet has already been submitted, 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 C.J.M., East Champaran, Motihari, in connection with Muffasil P.S. Case No. 60 of 2025, subject to the conditions that:

a. One of the bailors of the petitioner shall be his/her close relative.

b. The petitioner shall remain physically present in Court on each date of trial.

c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution finds the involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

d. 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 bonds 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.

e. If the petitioner is found involved

in a similar nature of offence, the prosecution shall be at liberty to move the lower court for cancellation of bail.

(Sourendra Pandey, J)

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