

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31407 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- TARIYANI CHOWK District- Sheohar

Amar Kumar S/o Ramchandra Mahto Resident of Village- Mudadih, P.S.-
Kanhauli, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

Mr. Jayram Prasad, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection
Tariyani P.S. Case No. 202 of 2024, registered for the offences
punishable under Section 303(2) of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case is to the effect that the
informant had gone to see a fair near Sumahuti Market and had
parked his motorcycle. It is further alleged that when the
informant came out at about 02:00 am, in the night, he found his
motorcycle missing.

4. The learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in the
present case only because he was arrested in one Sheohar P.S.
Case No. 298 of 2024 from where he had been taken on remand



in the present case on the basis of confession of the petitioner. The learned counsel further submits that barring the confession of the petitioner, there is nothing to connect the petitioner with the alleged occurrence and no incriminating/motorcycle has been recovered from the possession of the petitioner. It has lastly been submitted that the petitioner though carries three antecedents of similar nature, he is custody since 03.03.2025.

5. The learned A.P.P. for the State has opposed the prayer for bail and stated that the petitioner is part of a gang and involved in similar nature for offences.

6. Considering the aforesaid facts and circumstances and taking into account that there is no recovery from the petitioner and barring the confessional statement of the petitioner, there is nothing to connect the petitioner with present case, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. 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 court of learned C.J.M., Sheohar, in connection with Tariyani P.S. Case No. 202 of 2024, subject to the following conditions:-



(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found 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.

(iv) 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.

(Sourendra Pandey, J)

Siwani/-

U		T	
---	--	---	--

