

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33200 of 2025

Arising Out of PS. Case No.-765 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Sunil Kumar S/O Vinod Kumar Sah R/O Barmasia, P.N.T. Chowk, Katihar,
State- Bihar (854105).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Mishra

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard the parties.

2.The petitioner is not named in the F.I.R. and apprehending his arrest in connection with Katihar (Sahayak) P.S. Case No. 765 of 2024 registered for the offences punishable under Sections 304 of BNS, 2023.

3. As per FIR, unknown persons snatched purse of informant having her mobile, Aadha card, PAN card and cash of Rs. 500/- along with other health kit like Glucometer, Stethoscope, Hemoglobin meter etc.

4. It is submitted by learned counsel appearing on behalf of the petitioner that during investigation one co-accused namely, Niraj Kumar Sharma was



apprehended from the possession of whom the mobile of informant was seized. It is submitted that on the basis of confessional statement of aforesaid co-accused the name of petitioner transpired in present case. It is submitted by learned counsel that nothing incriminating was recovered from the possession of this petitioner as same was recovered from the possession of co-accused and therefore no judicial purpose shall be served by sending the petitioner to judicial custody, who is a man of clean antecedent.

5. Learned APP opposed the prayer of bail but taking note of nature of accusation submitted that the criminal antecedent of the petitioner be verified.

6. Considering the aforesaid factual submission and by taking note of fact as *prima-facie* incriminating materials recovered from the possession of the co-accused, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released



on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Katihar /concerned Court, where the case is pending in connection with Katihar (Sahayak) P.S. Case No. 765 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS, subject to further condition:-

(I) It is made clear that criminal antecedent of petitioner be verified before accepting his bail bond and if he found involved in any criminal case contrary to his affidavit, the bail bond of the petitioner shall not be accepted.

(Chandra Shekhar Jha, J)

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