

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31664 of 2025

Arising Out of PS. Case No.-109 Year-2024 Thana- RIGA District- Sitamarhi

Shivam Kumar @ Chotu @ Chhotu S/o Shambhu Kuwar @ Shambhu Singh
Resident of Village- Kusmari, P.O. and P.S.- Riga, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Adv

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Riga P.S. Case No. 109 of 2024 registered for the offences punishable u/s 392 of the I.P.C.

3. As per the prosecution case, on 16.04.2024 at about 3:00 P.M., the informant was going towards *Bishar Baba Mandir* along with his friend. In the meantime, four unknown miscreants surrounded them and on the point of pistol they snatched their mobile phones.

4. Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and his name has surfaced on the confessional statement of the co-accused,



namely, Ekbal. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that till date no TIP has been conducted for the identification of the accused persons and the charge sheet has already been submitted. It is lastly submitted that the petitioner has seven criminal antecedents and is in custody since 19.10.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner carries seven criminal antecedents of similar nature of offence.

6. Considering the aforesaid submissions of the parties and taking into account the fact that no incriminating article has been recovered from the conscious possession of the petitioner and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi, in connection with Riga P.S. Case No. 109 of 2024, subject to the following conditions:-

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

(ii) The petitioner will remain present on each and



every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in the future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

7. The application stands allowed.

(Sourendra Pandey, J)

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