

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31714 of 2025

Arising Out of PS. Case No.-235 Year-2020 Thana- RAMKRISHNANAGAR District- Patna

Pushpam Rai @ Kanhaiya Kumar, Son of Arvind Kumar Ray, Resident of at
3MF, 1/31, MIG, Bhootnath Road, PO-Bahadurpur Housing Colony, PS-
Agamkuan, District -Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhuresh Singh, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-08-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Krishna Nagar P.S. Case No.235 of 2020
giving rise to Sessions Trial No.311 of 2021 registered for the
offence punishable under Section 392 of the Indian Penal Code.

3. Allegedly, while the informant was going along
with his co-worker Munna Kumar to deposit Rs.6,86,300/-, in
the meantime, three miscreants intercepted them and tried to
snatch money. On protest, one of them fired upon Munna
Kumar and snatched money.

4. Learned Advocate for the petitioner submitted that
admittedly, the FIR has been instituted against unknown



miscreants; however, during the course of investigation, one Karan Kumar was apprehended and on whose confession, the name of the petitioner transpired. Save and except confessional statement, there is no material available on record. Later on, when the police apprehended the petitioner, his confessional statement has been also recorded. Further submission has been made that all the accused persons, including Karan Kumar, on whose statement the name of the petitioner transpired, have been accorded the privilege of bail by different Benches of this Court, the orders of which have been placed on record by way of Annexure-P/2 series. So far the petitioner is concerned, in fact, at no point of time, the police visited the house of the petitioner and subsequently, all of a sudden, he was arrested; hence, the delay has occurred in approaching this Court.

5. Learned Advocate for the petitioner further submitted that with respect to other accused persons, whose trial has been bifurcated giving rise to Sessions Trial No.311 of 2021, wherein the informant and injured Munna Kumar were examined by the prosecution, they have categorically stated that they had not seen any accused person while causing firearm injury or snatching money. The petitioner is a man of fair antecedent and now he has been incarcerated since 15.03.2025.



6. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that apart from the fact that the name of the petitioner has been disclosed by co-accused person, he has been evading his arrest for the last five years.

7. Regard being had to the submissions made on behalf of the parties and taking note of the fact that the FIR has been instituted against unknown miscreants, coupled with the fact that all the accused persons have been accorded the privilege of bail as also deposition of the informant as well as the injured person in connection with Sessions Trial No.311 of 2021, apart from the fair antecedent of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Court No.15, Patna in connection with Krishna Nagar P.S. Case No.235 of 2020, giving rise to Sessions Trial No.311 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.



(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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