

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36488 of 2025

Arising Out of PS. Case No.-259 Year-2024 Thana- KATIHAR GRP CASE District- Katihar

Vikram Kumar, age 24 years, Male, S/o Ram Sharan Choudhary, R/o Naya Tola, Daheriya, P.S.- Katihar (N), Distt.- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh
For the Opposite Party : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 19-08-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Katihar Rail P.S. Case No. 259 of 2024 dated 27.10.2024 registered for the offences punishable under Section 309(6) of the B.N.S., 2023.

3. As per the prosecution case, on 25.10.2024, the informant was coming from Amritsar by New Tinsukhiya Express Train alongwith his mobile, bag, cash etc. On 27.10.2024, when he reached at Katihar Railway Station at Platform No. 5, he went to attend the call of nature. A person from behind caught his neck and other person did not allow to attend the call of nature. They assaulted him, due to which, he



sustained injury and fell down being unconscious. Later on, after gaining consciousness in the morning, he found that his mobile, cash, Rs. 2,000/-, bag-pack, etc., were missing. Police came and interrogated him and thereafter brought him to Katihar Sadar Hospital for his treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. The name of the petitioner and other co-accused persons have surfaced in the present case on the basis of the confessional statement of the other co-accused which has got no evidentiary value in the eyes of law. No incriminating article has been recovered from the possession of the petitioner. The petitioner was not put on T.I. Parade to ascertain the real culprit. There is no specific allegation against the petitioner. There is general and omnibus allegation against the petitioner. The petitioner has no concern with the alleged offence. The injury on the informant has been found simple in nature by the doctor. It is further submitted that the other co-accused person, namely, Amit Kumar Choudhary @ Bawaa, has already been granted bail by a Bench of this Court in Cr. Misc. No. 25146 of 2025 vide order dated 30.04.2025. The petitioner has two criminal



antecedents as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 20.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Katihar in connection with Katihar Rail P.S. Case No. 259 of 2024.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

