

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33108 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- KAJRA District- Lakhisarai

Uttam Kumar @ Raju Kumar @ Raj Kumar son of Bisheshwar Chaudhari @
Bishesar Choudhary Village- Sahmalpur PS- Kajra District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s: Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Kajra P.S. Case No. 4 of 2025 instituted for the offences under Sections 309 of BNS. He has one criminal antecedent, i.e., Kajra P.S. Case No. 23 of 2018 under Section 341, 323, 325 and 307/34 IPC.

3. The prosecution case is to the effect that the informant has alleged that one miscreant tried snatching from him and on protest the said miscreant fired upon him and, subsequently, an alarm was raised and the villagers caught hold one of the miscreants and the other person managed to flee away. It is further alleged that the apprehended person disclosed his name as Sanjeev Kumar @ Sixur and another person who had



fled away as Shivam Kumar @ Durlabh Yadav.

4. It is submitted by learned counsel for the petitioner that the petitioner is not named in the First Information Report and his name has surfaced in the confessional statement of one Shivam Kumar @ Durlabh Yadav who is stated to be one of the accomplice in the said case. It is further submitted by learned counsel for the petitioner that Sanjiv Kumar @ Sixur had not disclosed the name of the petitioner. It is also submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case by the co-accused during the course of investigation after two months of the occurrence. It is lastly submitted that the petitioner carries one criminal antecedent that is of the year 2018 and he is in custody since 07.03.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the name of the petitioner has surfaced in the confessional statement of the co-accused.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that the petitioner was not named in the FIR and he was not named by the person who was apprehended at the place of occurrence and is in custody since 07.03.2025, the petitioner above named, is directed to be



released on bail on furnishing furnish bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Lakhisarai in connection with Kajra P.S. Case No. 4 of 2025, subject to the the following conditions:-

(i) One of the bailors will be a 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) And further condition that the court below shall verify the criminal antecedent of the petitioner except above-mentioned one case and in case at any stage it is found that the petitioner has concealed his criminal antecedent except above-mentioned case, 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 the same or in the name of verification.

(Sourendra Pandey, J)

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