

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34890 of 2025

Arising Out of PS. Case No.-552 Year-2023 Thana- NAANPUR District- Sitamarhi

AZADSHATRU @ AZATSHATRU S/O SUNIL MISHRA R/o vill - Janipur,
P.s.- Nanpur, Distt.- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Pushpendra Kumar Singh, Advocate Smt. Divya Bharati, Advocate
For the State	:	Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nanpor P.S. Case No-552 of 2023, dated-04.11.2023, registered for the offences punishable under Sections 414, 399 and 402 of the Indian Penal Code and Section 25(1-B)a, 26, 35 of the Arms Act and Section 20(b)(ii)(A) of the N.D.P.S., Act.

3. There was allegation that the Petitioner and other co-accused assembled at a place to plan for committing crime and when the police reached the place of unlawful assembly of the accused persons, the Petitioner was found to be fleeing away. Though three other co-accused were arrested on the place of unlawful assembly with arms and live cartridges and one



motorcycle belonging to the Petitioner was also recovered at that place in which 150 grams of ganja was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. As a matter of fact, the Petitioner was not present at the place of occurrence and his friend took his motorcycle at that place and he was not aware whether the contraband was concealed in the motorcycle. He also submits that charge-sheet in this case has already been submitted. He also submits that one co-accused, Roshan Kumar, who was arrested at the place of occurrence has already been released on bail by a co-ordinate Bench of this Court vide order dated-31.01.2024 passed in Cr. Miscellaneous No. 2965 of 2024.

5. He further submits that the petitioner has been languishing in jail since 15.01.2025.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in eight other cases.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently



opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Nanpor P.S. Case No-552 of 2023 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the



petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

Chandan/
Md. Rashid-

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