

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36709 of 2025

Arising Out of PS. Case No.-434 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Ankit Kumar S/o Rakesh Singh R/o Village- Mathurapur, P.S.- Pipra, Distt.
East Champaran. At Present Village- Madhurapur, P.S. Kalyanpur, Distt East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Motihari Town P.S. Case No. 434 of 2024 instituted for the
offence under Section 309(4) of the Bharatiya Nyaya Sanhita,
2023 and Section 27 of the Arms Act. Earlier bail of the
petitioner was rejected vide order dated 05-03-2025, passed in
Cr. Misc. No. 11537 of 2025, with a liberty to renew his prayer
for bail after framing of charge.

3. As per prosecution case, three unknown persons
are said to have committed loot of Rs. 8,00,000/- from one Ajay
Kumar. They also opened fire upon him, as a result, he sustained



gunshot injury.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22-11-2024. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that charge is framed in this case on 12-03-2025. Petitioner is not named in the FIR. Name of the petitioner has surfaced on the confessional statement of co-accused, namely, Subhash Kumar. Other co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 30-04-2025, passed in Cr. Misc. No. 23331 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge being framed, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Motihari Town P.S. Case No. 434 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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