

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35385 of 2025

Arising Out of PS. Case No.-411 Year-2024 Thana- DURAULI District- Siwan

Shiva Kumar Ram @ Balraj @ Shiv Kumar Ram S/o Sri Raj Kumar Ram R/o
Village- Gaura, P.S.- Andar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 17-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offences under Sections 111(2), 317(2), 317(3), 317(4), 317(5) of B.N.S. and Sections 25(1-b), a/26/35 of the Arms Act.

3. As per the prosecution case, the police party saw some miscreants assembled at the place of occurrence, preparing to commit crime. Later the said four persons were apprehended who disclosed their names as Ashwini Kumar Ram, Shiv Kumar Ram (petitioner), Harun Ansari and Ashu Kumar Singh. On search, one mobile phone is said to have been recovered from possession of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this



case. Learned counsel further submits that no such recovery as alleged in the FIR has been made from the petitioner and even the motorcycle was seized from the house of Ashiwini Kumr Ram @ Sittu. It is lastly submitted that the petitioner has clean antecedents and is in custody since 01.01.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioner has clean antecedent, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Darauli P.S. Case No. 411/2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his/her close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. 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



cancelled by the court concerned.

d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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