

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36980 of 2025

Arising Out of PS. Case No.-57 Year-2024 Thana- PHULPARAS District- Madhubani

Abhay Kumar Sah S/O Jindelal Sah Resident of Village- Hulaspatti, PS-
Phulparas, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Phulparas P.S. Case No. 57 of 2024 dated 13.02.2024, instituted
for the offence punishable under Sections 394 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on
12.02.2024 at about 08:30 am, the informant was returning to
his house then on the way three unknown person on a red colour
Pulsar motorcycle overtook him and snatched his motorcycle
bearing Registration No. BR32AS3958 on gun point. When the
informant tried to make video of the miscreants then one of the
accused persons fired upon the informant.

4. Learned counsel for the petitioner submitted that



the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that F.I.R. has been lodged against three unknown persons and only on the basis of confessional statement of co-accused Nitish Kumar, petitioner has been made accused in this case. It is next submitted that nothing has been recovered from the conscious possession of the petitioner. It is further stated that no TIP has been conducted in this case, till date. Lastly, it has been submitted that the petitioner is in custody since 10.02.2025, he has three criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. II, Jhanyharpur, District- Madhubani in Phulparas P.S. Case No. 57 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner shall appear before the Police Station of his local area in the first week of each month till the framing of charge.

(Khatim Reza, J)

Sankalp/-

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