

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39610 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- NAUBATPUR District- Patna

Om Sharan Kumar @ Altar S/O Gobardhan Verma Resident of village- Azad Nagar, Chiraura, PS- Naubatpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 13-08-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Naubatpur P.S. Case No. 133 of 2025, registered for the offence punishable under Section 309 (4) of the B.N.S.

3. That the petitioner submits that he has no criminal antecedent.

4. The case of the prosecution in brief is that as per F.I.R., on 26.02.2025, when the informant, Kundan Kumar, who works as Loan Officer to Uttar Small Finance Bank Ltd, was returning to Bihta Branch of the said bank after collection of money, three bike born miscreants stop his motorcycle and threatened him with arms. They also snatched his purse, a bag containing Rs.66260/- a mobile and fled away. Miscreants also



threatened that if he made any noise they will shot him.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and his name is not named in the F.I.R. He further submits that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused, Raushan Kumar but nothing has been recovered from the possession of the petitioner. He also submits that no T.I. Parade held as yet and the petitioner is in custody since 10.03.2025. He also submits that charge-sheet has been filed in this case against the petitioner and, therefore, the further custody of the petitioner is not required as investigation has already completed.

6. Learned A.P.P. appearing for the State opposes the prayer for grant of regular bail. .

7. After perusal the materials available on record and on considerations of the submissions made by the rival parties, it transpires that the name of the petitioner has been surfaced on the basis of confessional statement made by co-accused, Raushan Kumar, which carries no evidentiary value. It also transpires that in a nearby CCTV footage, three bike miscreants was seen following the informant and they have been said to be identified as Randhir Kumar, Raushan Kumar and Om Sharan



(petitioner) but till date no T.I. parade has been done to identify the petitioner. The petitioner is in custody since 10.03.2025 and upon completion of the investigation chargesheet has already been filed against the petitioner. It is also stated by the petitioner that the petitioner does not have any criminal antecedent.

8. Considering all these aspects of the matter, I am inclined to grant bail to the petitioner

9. Accordingly, the petitioner, above named, is directed to be released 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 Naubatpur P.S. Case No. 133 of 2025, subject to the following conditions :-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason 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.

(iv) If the petitioner is found involved in similar



nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail-bond.

(v) The learned 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 criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

10. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

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