

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46138 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- JADIA District- Supaul

Mukesh Kumar S/o Ashok Kumar Yadav @ Ashok Yadav R/o Village-Sikiyahi, Ward No. 6, Panchayat Barahkurwa, P.S.- Triveniganj, District-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-07-2025 Heard learned Counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Jadia P.S. Case No. 28 of 2025 registered for the offences punishable u/s 309(4) of the B.N.S.

3. As per the prosecution case, on 19.02.2025, at about 3:30 P.M. the informant was returning to his home after duty from Baluwa Bazar. In the meantime, three unknown miscreants intercepted the informant's motorcycle and on gun point, they snatched a mobile phone and cash amount of Rs. 7,000/- from his pocket.

4. Learned counsel for the petitioner has submitted



that the petitioner is not named in the FIR and he has falsely been implicated in the case on the basis of a CCTV footage. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner rather the amount recovered from the petitioner was his own and till date no TIP has been conducted for the identification of the petitioner or the recovered amount to certify that it forms part of the present case. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 20.02.2025.

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

6. Considering the aforesaid submissions of the parties and taking into account the fact that till date no TIP has been conducted coupled with the fact that the petitioner is in custody since 20.02.2025, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul, in connection with Jadia P.S. Case No. 28 of 2025, subject to the following conditions:-

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



(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) 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 canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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