

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46347 of 2025**

Arising Out of PS. Case No.-383 Year-2019 Thana- PIPRA District- East Champaran

Suresh Kumar @ Suresh Kumar Bhagat Son of Late Babulal Prasad  
Kushwaha Resident of village - Chintamanpur, Tola Tikuliya, P.S.- Pipra,  
District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s :Mr.Kundan Rathore @ Kundan Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      11-07-2025                      Heard Mr.Kundan Rathore @ Kundan Kumar, learned  
counsel for the petitioner and Mr.Navin Kumar Pandey, learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since  
04.03.2025 in connection with Pipra P.S. Case No. 383 of 2019,  
F.I.R. dated 05.11.2019 registered for the offence punishable  
under Section 392 of IPC.

3. The FIR of the occurrence of loot is against  
unknown.

4. Learned counsel appearing for the petitioner  
submits that the petitioner has falsely been implicated in the  
present case. In the fact the petitioner is not named in the FIR.  
The name of the petitioner has been transpired during



investigation on the basis of the confessional statement of co-accused person, namely, Rajendra Sahni and on the basis of the confessional statement of co-accused person, namely, Rajendra Sahni, looted article has been recovered from possession of other co-accused persons, namely, Manish and Jalandhar and except the confessional statement of co-accused person, namely, Rajendra Sahni, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and till date no TIP has been conducted by the prosecution and co-accused person, namely, Manjit Kumar @ Pandit has been granted bail by this Court vide order dated 12.10.2022 passed in Cr. Misc. No.46555 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.03.2025.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases of similar nature other than the present one, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, petitioner is not named in the FIR, name of the petitioner has been transpired



during investigation on the basis of the confessional statement of co-accused person, namely, Rajendra Sahni, nothing has been recovered from possession of the petitioner and till date no TIP has been conducted by the prosecution, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Pipra P.S. Case No. 383 of 2019, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that 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 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.

(Rajesh Kumar Verma, J)

Nitesh/-

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