

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48336 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- PAWANA District- Bhojpur

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Dhan Raj Kumar son of Bahadur Singh Resident of village- Ghorpokhar PS-
Udwant nagar District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State

2. The petitioner seeks bail in connection with
Pawana P. S. Case No. 05 of 2025, dated 14-01-2025, registered
for offences punishable under Sections 309(2) of the Bharatiya
Nyaya Sanhita 2023..

3. As per the prosecution case as narrated in the
F.I.R., while the informant was on her way to her parental home
(*mayke*), some unknown persons intercepted her and looted her
motorcycle bearing Registration No.BR-01-DY-3113 along with
her mobile phone..

4.Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is submitted that the petitioner is not named in



the First Information Report (FIR). The petitioner was arrested on 11.03.2025 in connection with Jagdishpur P.S. Case No. 60 of 2025, during which he allegedly made a confessional statement implicating himself in the present case. Thereafter, he was remanded in the present case on 29.03.2025 merely on the basis of suspicion. It is further submitted that, apart from his own confessional statement, there is no other material on record to connect the petitioner with the alleged offence. The petitioner has four other criminal cases pending against him. It is also submitted that a co-accused, namely Amar Dayal Kumar, has already been granted bail by a Co-ordinate Bench of this Court by order dated 29.07.2025 passed in Cr. Misc. No. 46474 of 2025. The charge sheet has already been submitted in the present case.

5. On the other hand, learned A.P.P. has opposed the prayer for bail.

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 CJM Bhojpur at Ara, in connection with Pawana P. S. Case No. 05 of 2025, subject to



the following conditions: (i) that the 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, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that 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 (iv) that 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 and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.

7. The application stands allowed.

(Khatim Reza, J)

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