

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52798 of 2025**

Arising Out of PS. Case No.-488 Year-2024 Thana- BAHERA District- Darbhanga

Kanhaiya Kumar Jha, S/o Raghav Jha, R/o Village- Dherukh, P.S.- Bahera,
District- Darbhanga (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the State : Mr. Uma Shankar Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER**

2 11-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bahera
P.S. Case No. 488 of 2024 dated 20.12.2024, registered for the
offences punishable under Section 309(6) of B.N.S., 2023.
However, cognizance has been taken under Sections 310(10),
311, 61 and 317(3) of B.N.S., 2023.

3. As per allegation, three unknown persons robbed
the motorcycle and some money of the informant. However, the
name of the petitioner has transpired in course of investigation
on the basis of report from the spy.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the case is registered against



unknown persons. He further submits that there is no cogent evidence against the petitioner and the whole case is based only on suspicion and no case property has been recovered from the possession of the petitioner, nor any TIP has been conducted.

5. He further submits that the petitioner has been languishing in jail since 22.12.2024.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has one criminal antecedent.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Bahera P.S. Case No. 488 of 2024 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.



(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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