

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50176 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- DARAUNDA District- Siwan

Prince Upadhyay @ Prince Baba Son of Srinivas Upadhyay Resident of vill-
Dibbi, PS- M H Nagar Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mrs. Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 25-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Daraunda P.S. Case No. 41 of 2024, instituted for the offences
punishable under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, four
unknown persons armed with pistol entered into the counter of
C.S.P. and on the point of pistol looted Rs. 2,50,000/- from the
counter along with some pass-books and Aadhaar Cards.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner also submits that neither the petitioner was present



at the place of occurrence, nor the petitioner is named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Ritesh Singh and the same has got no evidentiary value. No T.I. parade has been conducted in this case. The petitioner is in custody since 11.11.2024 has got five criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 22.04.2025 passed in Cr. Misc. No. 24708 of 2025.

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

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Daraunda P.S. Case No. 41 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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