

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54635 of 2025

Arising Out of PS. Case No.-429 Year-2024 Thana- KALYANPUR District- East Champaran

Subhash Rai S/O Sipahi rai R/O Village- Chak Abdul Gani, P.S- Mehsi,
Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Kalyanpur P.S. Case No. 429 of 2024 registered for the offences punishable under Sections 127(1), 127(2), 115(2), 303(2), 318(4) and 3(5) of B.N.S.

3. As per prosecution case, informant's vehicle bearing registration No. JH05M-4150 was taken on rent by 3-4 unknown passenger. FIR has been lodged against unknown.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has been transpired in the present case on the basis of confessional statement of co-accused, Lal Sahab. Except confessional of co-accused, there is nothing on record to connect the petitioner



with the alleged occurrence. He further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR. Learned counsel further submits that petitioner is in custody since 22.05.2025. Petitioner bears criminal antecedent of four cases in which he is acquitted in one case and is on bail in all the three cases. He further submits that no TIP has been conducted uptill now. It is further submitted that alleged recovered auto parts from the scrap shop of the petitioner are common articles and were not put on TIP. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-12th, East Champaran, Motihari in connection with Kalyanpur P.S. Case



No. 429 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

vashudha/-

U		T	
---	--	---	--

