

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55389 of 2025

Arising Out of PS. Case No.-9 Year-2005 Thana- MANJHI District- Saran

Akbar Miya Son of Kinnu Miya Resident of Kishunbari, P.S.- Siswan,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Chetna, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-08-2025 Heard Ms. Chetna, learned counsel for the petitioner
and Mr. Bharat Bhushan, learned APP.

2. The petitioner is in custody in connection with Manjhi P.S. Case No. 09 of 2005 for the offence punishable under sections 386/34 of the Indian Penal Code lodged on 29.01.2005 by the informant, Vinod Kumar Choudhary.

3. As per the prosecution story, the informant alleged that when he was at the petrol pump, accused came in a four wheeler, ordered filling of the tank and thereafter went to the office and wanted additional 2,000 litres in the drum. They introduced themselves as Raish Khan who also assaulted the informant/employees before exiting the place. This led to the FIR.

4. Learned counsel for the petitioner submits that a



perusal of the FIR would show that the FIR is mainly against Raish Khan who demanded 2,000 litre of fuel/assault that took place. Only in course of investigation, he has been named, admittedly he has almost dozen of cases which led to him being in custody since 20.08.2024.

5. Learned APP opposes the prayer for bail submitting that he has number of cases in Saran district.

6. Taking into account the submissions of the parties as also the fact that the petitioner has remained in custody since 20.08.2024, FIR mainly is attributed to the demand made by Raish Khan, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions Judge, Chapra in connection with Manjhi P.S. Case No. 09 of 2005 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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

