

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54115 of 2025

Arising Out of PS. Case No.-301 Year-2024 Thana- SONBERSA District- Sitamarhi

Shiv Nandan Baitha @ Shiv Nandan Kumar S/O Late Raktu Baitha @ Late Ravindra Baitha @ Late Ravindra Rajak village - Ramnagra, P.S. - Kanhauli, Dist. - Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

2. The petitioner seeks bail in connection with Sonbarsa P.S. Case No-301 of 2024, dated-23.09.2024, registered for the offences punishable under Sections 309(4) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per allegation, the informant has been robbed of some money (Indian as well as Nepali Currency) by three unknown persons who were wielding country made pistol.

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 Petitioner is no way involved in the alleged offence and his name has transpired in the



confessional statement of the co-accused, who were already enlarged on bail. He also submits that nothing has been recovered from the possession of the Petitioner nor any TIP has been conducted as yet.

5. He further submits that the petitioner has been languishing in jail since 05.06.2025.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in twelve other cases.

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 Sonbarsa P.S. Case No-301 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 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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