

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56758 of 2025

Arising Out of PS. Case No.-232 Year-2025 Thana- MADHEPURA District- Madhepura

Roushan Kumar @ Raushan Kumar @ Roshan Kumar S/O Balkrishna Yadav,
R/O Village- Jankinagar, P.S.- Jankinagar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Kumar, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Madhepura P.S. Case No. 232 of 2025, dated 20.02.2025, registered for the offences punishable under Sections 137(2), 62, 304(2) and 3(5) of B.N.S., 2023.

3. As per prosecution case, there is allegation of snatching chain from the neck of the informant by bike riders.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is not named in the F.I.R., because F.I.R. has been lodged against unknown persons. He further submits that the name of the petitioner has transpired only in the so-called confessional statement of co-accused and



there is no other cogent material against him, nor there is any recovery of the theft property from possession of the petitioner.

5. 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 in the instant case.

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

7. However, learned APP for the state opposes the prayer of the petitioner for bail.

8. Considering the fact that the F.I.R. being lodged against unknown person and there being no recovery from the petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, 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 Madhepura P.S. Case No. 232 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) 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.

(ii) 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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