

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56021 of 2025

Arising Out of PS. Case No.-32 Year-2016 Thana- PIRBAHOR District- Patna

Manish @ Rahul Bats @ Rahul Vats S/o Manoj Kumar Singh R/o Village-
Belha, Gohuma Bairia, P.S.- Fulparas, Madhubani, Bihar- 847402

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhineet

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Pirbahore P.S. Case No. 32 of 2016 registered for the offence
punishable under Section 395 of the Indian Penal Code and u/s
25(1-B)/26/35 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has no criminal antecedent.

4. The case of the prosecution in brief is that on the
date and time of occurrence, the informant was preparing food
in his kitchen. In the meantime, five miscreants came to him and
pointed pistol on the informant and told him that if he will make
any noise the informant would be killed and two persons taped
the mouth of father of the informant and snatched gold chain



and one person gave a knife blow on the neck of the servant. In the meantime, the informant snatched the pistol from the miscreant and took bullet out from the pistol and started making noise. On noise all the accused persons tried to flee away and in course of flee, two miscreants were caught by local people and on being asked they disclosed their names (including petitioner) which is mentioned in the F.I.R.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the F.I.R. stood lodged on 30.01.2016 and his name was mentioned in the F.I.R. only on the basis of confessional statement of co-accused. He further submits that there is no allegation levelled against him of any wrong doing in the F.I.R. He also submits that he has no criminal antecedent but is unnecessarily languishing in Jail since 22.04.2025. It is further submitted that charge-sheet has already been filed against the petitioner, thereby completing the investigation. He therefore, prays for grant of regular bail.

6. On the other hand, learned APP appearing for the State vehemently opposes the prayer for regular bail of the petitioner.

7. From the reading of the F.I.R., it is manifest that the



name of the petitioner has come on the basis of statement of the co-accused. It is further apparent from reading of the F.I.R. that there is no allegation against the petitioner of any wrong doing. Petitioner has no criminal antecedent but is in custody since 22.04.2025. Co-accused persons namely Biltu Saw and Sunil Kumar have already granted regular bail by a coordinate Bench of this Court vide order dated 22.07.2016 passed in Cr. Miscellaneous No. 21513/2016 and vide order dated 18.07.2016 passed in Cr. Miscellaneous No. 28520 of 2016. It is further noted that another similarly situated co-accused, person namely, Rakesh Kumar has already been enlarged on anticipatory bail vide order dated 27.07.2016 passed in ABP No. 3164/2016 by the court of learned A.D.J 10, Patna and the statement of this fact has made in paragraph 12 of the bail petition.

8. Considering all these aspects of the matter, I am inclined to grant bail to the petitioner.

9. Let the petitioner above named, is directed to 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 the learned court below where the case is pending/successor court in connection with Pirbahore P.S. Case No. 32 of 2016, subject to the following conditions:-



(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

10. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

Ranjeet/-

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

