

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62289 of 2025**

Arising Out of PS. Case No.-246 Year-2024 Thana- RIGA District- Sitamarhi

Shivam Kumar S/O Nandu Raut Resident Of Village- Kushmari, PS- Riga,  
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      18-09-2025                      Heard Mr. Alok Kumar Jha, learned counsel for the  
petitioner and Mr. Yogendra Kumar, A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since  
16.06.2025 in connection with Riga P.S. Case No. 246 of 2024,  
F.I.R. dated 21.07.2024 registered for the offence punishable  
under Sections 309(6) of the BNSS.

3. As per prosecution case, four miscreants  
surrounded the informant and dashed their motorcycle with his  
motorcycle and assaulted him with knife. Bleeding started and  
the miscreants snatched the motorcycle of the informant, gold  
chain worth Rs. 1,50,000/- and Rs. 22,000/- from the informant.  
The name of the petitioner transpired during the course of  
investigation.

4. Learned counsel appearing for the petitioner  
submits that the petitioner has clean antecedent and the  
petitioner is not named in the F.I.R. Name of the petitioner has



been transpired merely on the basis of the confessional statement of co-accused persons, namely, Shivam Kumar @ Chotu and Harshwardhan Jha @ Harsh Kumar and except the confessional statement of co-accused persons, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Till date, no T.I. Parade has been conducted by the prosecution and co-accused, namely, Harshwardhan Jha @ Harsh Kumar and Krishna Kumar @ Krishnandan have been granted bail by a co-ordinate Hon'ble Bench of this Court vide orders dated 22.03.2025 and 14.05.2025 passed in Cr. Misc. No. 90109 of 2024 and Cr. Misc. No. 6637 of 2025 respectively and the Police after investigation submitted chargesheet against the petitioner. Petitioner is in custody since 16.06.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact and fact that the petitioner having clean antecedent, the name of the petitioner has been transpired during investigation on the basis of disclosure made by co-accused persons and the petitioner is not named in the F.I.R., let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand)



with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Sitamarhi in connection with Riga P.S. Case No. 246 of 2024, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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