

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65443 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Niraj Kumar, aged about 28 years, Male, S/o Late Tej Pratap @ Late
Tejpratap Yadav, Resident of Village - Laxmipur, P.S - Muffasil, District -
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-09-2025 Heard Mr. Karandeep Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Narsingh Tanti,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Muffasil P.S. Case No. 12 of 2025 registered for the
offence(s) punishable under Sections
121,190,126(2),115(2),119,308(2),352,351(2) of the BNS.

3. As per the allegation made in the FIR, co-accused
Mantu Singh, Ankush Kumar and four to five unknown persons
stopped the moving car of the informant by hitting it with a stick
and damaging it. Then Mantu Singh told him that there is delay
on your part with regard to payment of loan amount of your
vehicle. The informant deposited the instalment amount of his



vehicle of Rs.14,400/- in the account of Mahindra Finance. Thereafter, the accused persons by putting him in a fear, transferred Rs.12,000/- from his phone pay.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and he has no concern with co-accused Mantu Singh on whose confessional statement, his name has surfaced in this case and confessional statement made before police has no evidentiary value. So far as the allegation that he was also one of the employees of Mahindra Finance is also incorrect. The specific allegation is against co-accused Mantu Singh and Ankush Kumar, who forced the informant to make payment of Rs.12,000/- and there is no transaction of money in the account of the petitioner.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, it is apparent that petitioner is not named in the FIR and his name has surfaced in this case on the basis of confessional statement of co-accused Mantu Singh and confessional statement made before police has no evidentiary value, I am of the opinion that petitioner has, prima facie, made



out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Muffasil P.S. Case No. 12 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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