

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66898 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- Mohanpur District- Purnia

Dhiraj Kumar S/o Amin Sharma Resident of Navtoliya, P.S.- Mohanpur,
District- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 17-09-2025

Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 309(4) of the Bhartiya Nyaya Sanhita.

3. The prosecution case, in brief, is that on or about 11:40 P.M., while the informant was returning home on a motorcycle after completing his duties as a driver for one Sanjit Jayswal, he was intercepted by four masked individuals armed with weapons. The assailants allegedly threatened him, forcibly snatched the keys of his motorcycle, forced him off the motorcycle, and further took away his mobile phone.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the



present case. It is contended that the petitioner is not named in the First Information Report and has been made an accused merely on the basis of the confessional statement of Ankush Kumar, the petitioner's brother, who was apprehended by the police during the course of investigation. It is further submitted that there is no recovery of any incriminating article from the house of the petitioner. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Taking into account that there is no specific allegation against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 the learned CJM, Purnea/Successor Court in connection with Mohanpur P.S. Case No.25 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official



document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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