

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65054 of 2025

Arising Out of PS. Case No.-506 Year-2019 Thana- CHIRAIYA District- East Champaran

Arun Mishra Son of Satyendra Kumar Mishra @ Satyendra Mishra @
Bauwaji Resident Of Village - Karmawa, P.S. - Dhaka, Dist. - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Chiraiya P.S. Case No. 506 of 2019 registered for the alleged offences under Sections 395 of the Indian Penal Code.

03. As per prosecution case, while the informant was returning after withdrawal of cash from the Bank, he was stopped by three miscreants riding a motorcycle on the gunpoint. Thereafter, co-accused Jitendra Patel and Dhiraj Gupta came there on an Apache motorcycle and co-accused Dhiraj Gupta pointed pistol on the informant and co-accused Jitendra Patel snatched the bag of the informant which contained Rs. 1,93,000/-. All the miscreants fled away from the



spot. The name of the petitioner transpired during investigation in the confessional statement of co-accused Jitendra Patel.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. No test identification parade has been conducted to establish the identity of the petitioner. The petitioner was not named in the FIR and he has been made accused in this case on the basis of confessional statement of co-accused, Jitendra Patel. Except for the confessional statement, there is no material against the petitioner to connect him with the offences as alleged. Moreover, the co-accused Jitendra Patel has been granted bail vide order dated 09.11.2020 passed in Criminal Misc. No. 25276 of 2020. Other similarly situated co-accused persons have been granted bail by different Co-ordinate Benches of this Court. The petitioner is having antecedent of six cases and he is on bail in all such cases. The petitioner is in custody since 30.06.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that petitioner and other co-accused persons robbed the informant of his bag containing Rs. 1,93,000/-.



06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the grant of bail to similarly situated co-accused persons and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Chiraiya P.S. Case No. 506 of 2019, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates 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.

(Arun Kumar Jha, J)

Ashish/-

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

