

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68258 of 2025

Arising Out of PS. Case No.-97 Year-2022 Thana- AMAS District- Gaya

Abhishek Kumar @ Abhishek Singh @ Tolu Singh @ Tolu Don S/O Murari Kumar@Murari Singh R/O Vill.- Paraiya, P.S.- Dhanghi, Barachatti, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Amas P.S. Case No. 97 of 2022 instituted for the offence under Section 392 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case in a nutshell is that on 21-03-2022, informant while heading to deposit Rs. 7,67,533/- at Punjab National Bank, *Sherghati*, he was looted at gunpoint by three unknown miscreants. The accused fled on a motorcycle bearing Reg. No. BR-02AX-7981.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.04.2025. Petitioner bears one criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation on the basis of the confessional statement of the co-accused recorded before the police which has no evidentiary value in the eye of law. Nothing has been recovered from the possession of the petitioner. Petitioner was not even put on T.I. Parade. Learned counsel for the petitioner again submits that the co-accused namely Laxman Paswan has been granted bail by this Court vide order dated 07.04.2025 passed in Cr. Misc. No. 827 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner 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 Court below/concerned Court in connection with Amas P.S. Case No. 97 of 2022, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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