

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68494 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- ARIYARI District- Sheikhpura

Shambhu Kumar Son of Rajesh Yadav R/O Village- Kamalpur, P.S.- Ariyari,
District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Ariyari
P.S. Case No. 65 of 2025, instituted for the offences punishable
under Section 309 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that four unknown
miscreants intercepted the informant, assaulted him and looted
his motorcycle, mobile phone and cash of Rs. 2,000/- and fled
away from the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Dhiraj Kumar and the same has got no evidentiary value. It is further submitted that no any looted article has been recovered from the possession of the petitioner and the allegation levelled against him is general and omnibus in nature. The petitioner is in custody since 11.07.2025 and has got two criminal antecedents.

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

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ariyari P.S. Case No. 65 of 2025, 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)

Rajorshi/-

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