

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75168 of 2025**

Arising Out of PS. Case No.-55 Year-2025 Thana- LAKHNAUR District- Madhubani

Shiv Kumar S/o Ashok Yadav @ Ashok Kumar Yadav R/o Village- Sonre, PS-
Lakhnaur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv
For the Opposite Party/s : Mr.Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Lakhnaur P.S Case No. 55 of 2025 registered for the offences
punishable under Sections 309(4) of the BNS.

3. As per allegation in the FIR, four accused persons
looted money and motorcycle from the informant on gun point.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is further
submitted that name of the petitioner surfaced from the
confessional statement of the co-accused namely Shyam Yadav.
He further submits that no independent witnesses has supported
the prosecution allegation against the petitioner. He further
submits that petitioner is not named in the FIR and till now, no



TIP has been conducted neither any incriminating article has been recovered from the conscious possession of the petitioner. It is also submitted that petitioner is remanded in this case on 14.06.2025. He further submits that other co-accused has been granted bail vide order dated 17.09.2025 in Cr. Misc. No. 65201 of 2025.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order dated 23.08.2025, it appears that no TIP has been conducted by the Officials, neither any incriminating article has been recovered from the possession of the petitioner and considering the fact that similarly situated co-accused has been granted bail vide order dated 17.09.2025 in Cr. Misc. No. 65201 of 2025., let the above named 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 learned ACJM-I, Jhanjharpur, Madhubani in connection with Lakhnaur P.S Case No. 55 of 2025.

(Ramesh Chand Malviya, J)

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