

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86703 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- HATHIDAH District- Patna

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Amit Kumar @ Amit Kumar Singh S/o Sri Ajit Singh R/o Village-
Mirjachouki, P.S.- Mirjachouki, District- Sahebganj, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-02-2025 Heard Mr. Ranjeet Tiwary, learned counsel for the

petitioner and Mr. Akbar Ali, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
06.03.2024 in connection with Sessions Trial No. 732 of 2024
arising out of Hathidah P.S. Case No. 27 of 2024, F.I.R. dated
03.03.2024 for the offences punishable under Sections 363,
365, 396 and 364 of the Indian Penal Code.

3. According to prosecution case, one unknown
person stopped the vehicle of the informant whose driver was
Vipin Kumar, and grabbed his mouth and fled away with the
vehicle. At the time of incident the informant was talking with
her driver on a phone and after the incident his mobile was
switched off.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of the co-accused, namely, Sunil Pandit and Amit Kumar @ Golu which was recorded in paragraph no. 19 of the case diary and except the aforesaid, no other materials has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Sunil Pandit @ Sunil Kumar who was confessed the name of the petitioner has been granted bail by this Court vide order dated 21.09.2024 passed in Cr. Misc. No. 46866 of 2024 and another co-accused, namely, Rishu Kumar has also been granted bail by this Court vide order dated 10.01.2025 passed in Cr. Misc. No. 73872 of 2024. The petitioner is in custody since 06.03.2024.

5. Learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, he is not named in the F.I.R and his name has been transpired on the basis of confessional statement of the co-accused person and the co-accused persons have been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-II, Barh, Patna in connection with Sessions Trial No. 732 of 2024 arising out of Hathidah P.S. Case No. 27 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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