

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79270 of 2025

Arising Out of PS. Case No.-312 Year-2024 Thana- SIKANDRA District- Jamui

Niraj Kumar, Son of Ashok Yadav, Resident of Village - Mandra, Police Station - Chandradeep, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

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

2. The petitioner seeks bail in connection with Sikandra P.S. Case No. 312 of 2024 dated 06.10.2024 instituted for the offence punishable under Sections 310(2), 317(3) of Bhartiya Nyaya Sanhita.

3. The prosecution case, in short, is that on the alleged date of occurrence, six miscreants riding two motorcycles surrounded the informant and snatched his bike, mobile phone and wallet containing Rs. 2000/- apart from ATM Card, PAN Card, owner book of the vehicle and ear phone. They also hit the informant with helmet. The name of the petitioner transpired during investigation for being involved in the said occurrence.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that F.I.R. has been lodged against unknown persons. The petitioner has been made accused in this case only on the basis of confessional statement of co-accused Chandan Kumar. It is also submitted that no looted articles have been recovered either from the house or possession of the petitioner. It is further submitted that similarly situated co-accused persons, namely, Rakesh Choudhary @ Rakesh Kumar has been granted bail vide order dated 10.09.2025 passed by the co-ordinate Bench of this Court in Criminal Miscellaneous No. 61245 of 2025. The petitioner has not been put to any Test Identification Parade to ascertain his identity. Lastly, it has been submitted that the petitioner is in custody since 12.12.2024 having four criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate,



Jamui in connection with Sikandra P.S. Case No. 312 of 2024
subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
4. 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.
5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his



local area alongwith a copy of this order and shall
appear every fortnightly to mark his attendance till
the framing of charge in the trial court.

(Khatim Reza, J)

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