

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1453 of 2025

Arising Out of PS. Case No.-12 Year-2020 Thana- AGIAON District- Bhojpur

Om Kumar @ Rishu @ Om Kumar Gupta Son of Jitendra Kumar @ Jitendra Kumar Gupta Resident of Mohalla- Karman Tola, PS- Ara Nawada, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the State : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-03-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Section 392 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, two unknown miscreants are said to have snatched the motorcycle and mobile phone of the informant on the point of pistol.

4. Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the name of the



petitioner transpired in the case on the confessional statement of co-accused, which has no evidentiary value in the eye of law. He further submits that charge has been framed against the petitioner. The petitioner has three criminal antecedents and has been languishing in custody since 08.10.2024.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Agion (Garhani) P.S. Case No.12 of 2020, subject to the following conditions :

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(iii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his



bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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