

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2541 of 2025

Arising Out of PS. Case No.-49 Year-2024 Thana- KESARIA District- East Champaran

1. Niraj Kumar Yadav S/O Kapal Yadav R/O- Yamunapur, PS- Kalyanpur District-East Champaran at Motihari
2. Tunnu Kumar @ Tuntun Kumar @ Aniket S/O Awadhesh Singh R/O- Yamunapur, PS- Kalyanpur District-East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 10-04-2025 Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Kesariya P.S. Case No. 49 of 2024 instituted for the offence under Section 392 of the Indian Penal Code.

3. Prosecution case in short is that informant was robbed of Rs. 16,500/- and a mobile by three miscreants.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 03-09-2024. Petitioners bear two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners'



counsel that petitioners have been falsely implicated in the present case. Petitioners are not named in the FIR. Name of the petitioners have transpired on the basis of confessional statement of co-accused, namely, Nabi Alam recorded in connection with Kalyanpur PS Case No. 204 of 2024. Nothing has been recovered from the possession of the petitioners. Petitioners were not even put on T.I. Parade. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kesariya P.S. Case No. 49 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the



family of the petitioners.

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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