

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2325 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- ASHTHAWAN District- Nalanda

Amit Kumar @ Om Prakash (Amit) Son of Munna Prasad @ Mannu Prasad @
Praveen Kumar Verma village- Noawn, Ps- Asthawan, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Rajendra Shastri, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-04-2025 Heard Mr. Sheo Nandan Prasad, learned counsel for
the petitioner and Mr. Rajendra Shastri, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Asthawan P.S. Case No. 126 of 2024, F.I.R.
dated 15.06.2024 for the offences punishable under Sections
399, 402 of the Indian Penal Code.

3. As per the First Information Report, police on
information, reached the place of occurrence and apprehended
one Rahul Kumar. The apprehended person disclosed that he
along with the petitioner and other accused persons were present
there to commit a loot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the



present case merely on the basis of disclosure made by the co-accused, namely, Rahul Kumar. As per allegation the petitioner along with other co-accused persons have escaped from the place of occurrence. It appears from the FIR and seizure list that recovery has been made from co-accused person and except the statement made by the co-accused there is no other material which suggest the involvement of petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 J.M. 1st Class, Nalanda in connection with Asthawan P.S. Case No. 126 of 2024, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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 bond 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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