

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.430 of 2025

Arising Out of PS. Case No.-596 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Bikku Kumar Son of Jitendra Singh Resident of Village - Katha, Ward No.14,
P.S. - Motihari Muffasil, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-01-2025 Heard the learned Advocate for the petitioner and the

learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Muffasil P.S. Case No. 596 of 2023,
registered for the offence punishable under Section 392 of the
Indian Penal Code.

3. While the informant was going to his house on a
motorcycle, in the meanwhile, four persons riding on two
motorcycles, overtook him and on the point of pistol, snatched
the motorcycle as well as the bag containing three lakhs rupees.

4. Learned Advocate for the petitioner contended that
the FIR was instituted against unknown miscreants. However,
during the course of investigation, only on suspicion, the



petitioner was apprehended along with other persons and thereafter, the confession of the petitioner has been recorded. Save and except the confessional statement, there is no material suggesting the complicity of the petitioner in the crime. Neither the petitioner has been put on Test Identification Parade nor any incriminating material has been recovered. It is further contended that other co-accused person, having identical allegation, they have been allowed the privilege of regular bail by this Court in Cr. Misc. No. 47115 of 2024 vide order dated 10.07.2024, the copy of which is marked as Annexure-2 to the bail application. It is lastly contended that, be that as it may, now the petitioner has been incarcerated since 31.07.2024 and the investigation of the crime is complete and the charge-sheet has been submitted.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner bears one criminal antecedent and he admitted his involvement in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the entire case is revolving around the confessional statement of the petitioner. Neither the petitioner has been put on Test



Identification Parade nor any incriminating material has been recovered, coupled with the fact that the other co-accused persons, having identical allegation, have been allowed the privilege of regular bail, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil P.S. Case No. 596 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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