

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5648 of 2025

Arising Out of PS. Case No.-110 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

Sikandar Bin @ Ajay Shankar @ Sikandar S/o Verma Prasad Resident of
Village- Ujiyar Tola, P.S.- Ara Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-02-2025 Heard Mr. Raju Kumar Singh, learned counsel for the

petitioner and Md. Iftekhar Mahmood, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ara Muffasil P.S. Case No. 110 of 2024, F.I.R. dated 06.04.2024 for the offences punishable under Section 392 of the Indian Penal Code.

3. According to prosecution case, petitioner along with other co-accused is said to have assaulted to the informant by butt of pistol and also looted money and mobile from him.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the FIR, the name of the petitioner has been transpired during course of investigation on the basis of the confessional statement of the co-accused, namely, Suraj Kumar and it appears from the



impugned order that looted mobile and money have been recovered from the possession of the co-accused person, namely, Suraj Kumar. He further submits that except the aforesaid, no cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired on the basis of the confessional statement of the co-accused person and recovery have also been made from the possession of the co-accused person and apart from that the petitioner carries one more case other than the present one.

6. Considering the aforesaid facts that the petitioner is not named in the FIR, the name of the petitioner has been transpired in this case on the basis of the confessional statement of the co-accused person, 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 A.C.J.M.-VII, Bhojpur at Ara in connection with Ara Muffasil P.S. Case No. 110 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2)



of the B.N.S.S., 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 bonds 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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