

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89877 of 2024**

Arising Out of PS. Case No.-31 Year-2021 Thana- UDAKISHUNGANJ District- Madhepura

Sundar Kumar @ Sundan Kumar Son of Dhirendra Yadav village- Khari,  
Ward no. 16, Ps- Murliganj, Dist- madhepura

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      09-05-2025                      Heard Mr. Ranjay Kumar Singh, learned counsel for  
the petitioner and Mr. Mritunjay Kumar Nirala, learned APP for  
the State.

2. Petitioner seeks bail, who is in custody since  
20.08.2024, in connection with Udakishunganj P.S. Case No. 31  
of 2021, F.I.R. dated 27.01.2021 registered for the offences  
punishable under Section 395 of the Indian Penal Code.

3. The F.I.R. of the occurrence of loot is against  
unknown.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and he has been falsely implicated in the  
present case. He further submits that the petitioner is not named  
in the F.I.R. and the name of the petitioner has been transpired  
on the basis of in connection with Gwalpara P.S. Case No. 169



of 2021 and thereafter the petitioner has been surrendered on 20.08.2024 in the present case and till date no test identification parade was conducted by the prosecution and the motorcycle in question was recovered in Udakishunganj P.S. Case No. 31 of 2021 and the petitioner has been granted bail in Gwalpara P.S. Case No. 169 of 2021 in the year 2022 itself. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in jail custody since 20.08.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the petitioner has used the motorcycle in question in Gwalpara P.S. Case No. 169 of 2021 and apart from that petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Udakishunganj, District- Madhepura in connection with Udakishunganj P.S. Case No. 31 of 2021,



subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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