

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2467 of 2026

Arising Out of PS. Case No.-563 Year-2025 Thana- DHANARUA District- Patna

Kundan Kumar Son of Sri Kapildev Singh @ Kapildev Prasad @ Kapil Prasad Yadav Resident of Village- Lanzo, P.S.- Pali, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Dhanarua P.S. Case No. 563 of 2025 instituted for the offences
under Sections 310(2), 311 of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case, in short, is that on 14.09.2025 at
about 7:40 PM, while the informant was returning from Punpun
on his motorcycle, six unknown persons on two bikes
intercepted him, assaulted him with the butt of a pistol causing
head injury, and robbed him of his motorcycle and bag. The bag
allegedly contained ₹16,000 cash, one mobile phone, and other
documents.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation only on the basis of suspicion. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted articles. Learned counsel further submitted that the police had given the photograph of the petitioner to the informant and he identified the petitioner. He further contended that such a Test Identification Parade is non-est in the eye of law. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.09.2025 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of



the like amount each to the satisfaction of Court below/concerned Court in connection with Dhanarua P.S. Case No. 563 of 2025 , subject to the following conditions:

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

(II) The petitioner 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 petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

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