

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6399 of 2026

Arising Out of PS. Case No.-86 Year-2025 Thana- SIWAIPATTI District- Muzaffarpur

Appu Kumar S/o Guddu Shahni Resident of Village- Tengari, P.S.- Siwaipatti,
Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binayak Kumar Shrivastav, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2026 Heard Mr. Binayak Kumar Shrivastav, learned
counsel for the petitioner and Mr. Shyameshwar Dayal, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
29.09.2025 in connection with Siwaipatti P.S. Case No. 86 of
2025, F.I.R. dated 19.05.2025 for the offences punishable under
Section 309(4) of the BNS, 2023 and Section 27 of the Arms
Act.

3. According to prosecution case, three miscreants
demanded illegal money from the informant and on refusal by
the informant, they fired and took Rs. 2,000/- from the table.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the



F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. The petitioner has been made accused merely on the basis of CCTV Footage and till date no TIP has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 29.09.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was seen in the CCTV footage and apart from that the motorcycle which was used in the present crime in question has been recovered from the house of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 Additional Sessions Judge-XI, Muzaffarpur in connection with Siwaipatti P.S. Case No. 86 of 2025, subject to the 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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