

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19563 of 2026

Arising Out of PS. Case No.-229 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

Jhunna Kumar Sah @ Jhunna Kumar S/o- Nagendra Sah R/v- Jaukatiya
W.No-4, Ps- Majhauliya Dist- West Champaran Petitioner/s
Versus

The State of Bihar Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mrs.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-04-2026 Heard Mr.Abhishek Kumar, learned counsel for the
petitioner and Mrs.Asha Kumari, learned APP for the State.

2. The petitioner is in custody in connection with
Motihari (Town) P.S. Case No. 229 of 2025 registered for the
offence punishable under Sections 319(2), 318(4), 303(2), 338,
336(3), 340(2) and 3(5) of the B.N.S., lodged on 18.03.2025 by
the informant Praveen Kumar Pandey.

3. As per the prosecution story, the informant on
secret information about young persons standing in suspicious
condition near IDBI ATM, raided the place. As the accused
wanted to escape, the Police managed to caught hold of one
person while the others took advantage of the darkness and
escaped. The person apprehended was Ashfak Alam and he give
the details of their modus operandi and further disclosed the
name of this petitioner as one of the accomplice. This led to the
F.I.R.



4. Learned counsel for the petitioner submits that he has remained in custody since 23.04.2025, charges have been framed, if granted bail, he shall be diligently appearing in trial and shall not indulge in any criminal activities failing which the State can take steps for cancellation of bail bond, if granted relief. Further submissions is that co-accused Asfak Alam has been granted relief in Cr. Misc. No. 60793 of 2025 (Annexure-3 to the petition) by a coordinate bench.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Considering the submissions of the parties as also that the charges have been framed, he is in custody since 23.04.2025, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Motihari (Town) P.S. Case No. 229 of 2025 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card etc.) to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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