

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18466 of 2026

Arising Out of PS. Case No.-500 Year-2025 Thana- BYPASS District- Patna

Kundan Kumar @ Bochaha Son of Mahadev Singh R/o Village - Nizampur,
P.S. - Didarganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 24-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bypass P.S. Case No. 500 of 2025, registered for the offences under Sections 309(5) of the BNS and Section 27 of the Arms Act.

3. As per the prosecution case, when the informant and driver of his cash van have been going to bank for depositing the cash amount of his company amounting to Rs. 6,77,634/-, the petitioner tried to rob the cash van. However, due to alertness of mind shown by the driver, the cash could not be looted. The name of the petitioner transpired in this case during investigation for being involved in the alleged occurrence.

4. Learned counsel appearing on behalf of the

petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. The petitioner has been named in the case on the basis of CCTV footage in the area of occurrence. On suspicion, the petitioner was apprehended and thereafter police has shown recovery of country made katta and two live cartridges from the house of the petitioner. One of the vehicles seized in this case is the motorcycle owned by the father of the petitioner. Learned counsel further submits that it was only an attempt to commit robbery and nothing was looted in the occurrence as alleged. Learned counsel further submits that there is no substantive material against the petitioner as nothing incriminating has been recovered from his person or possession. Therefore, except for confessional statement no material has come on record against him showing his complicity. Learned counsel further submits that charge sheet has been submitted. The petitioner is having antecedent of one case in which he is on bail. Petitioner is in custody since 20.10.2025.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the vague nature of allegation, period of custody of the petitioner

and submission of charge sheet against the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned JMFC, Patna City/concerned court, in connection with Bypass P.S. Case No. 500 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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