

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19502 of 2026

Arising Out of PS. Case No.-245 Year-2025 Thana- CHANPATIA District- West Champaran

Binod Kumar @ Binod Mahto @ Vinod Kumar @ Vinod Mahto S/O Suresh
Mahto R/o vill - Nonia Tola, ward no. 6, P.S.- Kalibagh, Distt.- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the State : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Mr. Sarvesh Kashyap, learned counsel for the
petitioner and Mrs. Asha Devi, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 22.12.2025, in connection with Chanpatiya P.S. Case No. 245 of 2025, F.I.R. dated 18.11.2025 registered for the offences punishable under Sections 331(4) & 305(a) of the B.N.S. and later on Sections 317(2), 317(4), 317(5) of the B.N.S. was added.

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 confessional statement of co-accused person namely



Vikash Kumar and nothing has been recovered from the conscious possession of the petitioner or the house of the petitioner and the recovery has been made from co-accused person, namely, Vikash Kumar. Learned counsel for the petitioner further submits that till date no TIP was conducted by the prosecution and the police after investigation submitted chargesheet against the petitioner on 25.01.2026 and the petitioner is in custody since 22.12.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired on the basis of confessional statement of co-accused person and apart from that the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that the petitioner is not named in the F.I.R and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person and till date no TIP was conducted by the prosecution, 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 Judicial Magistrate, Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 245 of



2025, 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)

Ibrar//-

U		T	
---	--	---	--

