

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18578 of 2026

Arising Out of PS. Case No.-981 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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Divyanshu Kumar @ Sonu Son of Manoj Patel @ Manoj Ram @ Manoj
Kumar Ram Resident of village - Bhawanpur Zirat, Ps- Chhatauni, Dist- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr.Abhishek Kumar, learned counsel for the

petitioner and Mr.Kumar Veerendra Narayan, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
27.12.2025 in connection with Town P.S. Case No. 981 of 2022,
F.I.R. dated 25.12.2022 registered for the offence punishable
under Sections 395 of BNS.

3. The FIR of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. The name of the petitioner
has been transpired during investigation on the basis of the
confessional statement of co-accused persons, namely, Abhishek



Tripathi and Rana Pratap Yadav and except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence, nothing has been recovered from conscious possession of the petitioner and till date no TIP has been conducted by the prosecution and the petitioner is in custody since 27.12.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioner is not named in the FIR, the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person and till date no TIP has been conducted by the prosecution, 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 learned Chief Judicial Magistrate, East Champaran, Mothihari in connection with Town P.S. Case No. 981of 2022, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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