

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18815 of 2026**

Arising Out of PS. Case No.-422 Year-2019 Thana- KOILWAR District- Bhojpur

Avishek Kumar @ Bhuwar Kumar S/o- Subodh Rai @ Subodh Ray Resident  
of Gidhi P.S- Koilwar, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravindra Kumar, Advocate  
Mr. Amish Kuma No. 1, Advocate  
For the Opposite Party/s : Mr. Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      03-04-2026                      Heard Mr. Ravindra Kumar, learned counsel for the  
petitioner and Mr. Anil Kumar, learned Additional Public  
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
06.12.2025 in connection with Koilwar P.S. Case No. 422 of  
2019, F.I.R. dated 19.12.2019 for the offences punishable under  
Section 392 of the IPC.

3. According to prosecution case, some miscreants on  
the point of pistol have looted Rs. 92,456/- from the petrol  
pump of which informant is the manager.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and he has falsely been implicated in the  
present case. The petitioner is not named in the FIR and his  
name has been transpired on the basis of the confessional



statement of the co-accused, namely, Ashish Kumar @ Bipul Kumar. He further submits that nothing has been recovered from the possession or the house of the petitioner 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. He further submits that similarly situated, co-accused, namely, Vicky Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 29.09.2022 passed in Cr. Misc. No. 19702 of 2022 and another co-accused, namely, Ashish Kumar @ Bipu Kumar @ Bipul Kumar has been granted bail by this Court vide order dated 04.08.2022 passed in Cr. Misc. No. 18929 of 2022. The petitioner is in custody since 06.12.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents other than the present one but fairly submits that he is on bail in all the pending matters.

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 Chief



Judicial Magistrate, Bhojpur at Ara in connection with Koilwar  
P.S. Case No. 422 of 2019, 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)**

Vanisha/-

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