

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23417 of 2026

Arising Out of PS. Case No.-129 Year-2025 Thana- SHRIKRISHNAPURI District- Patna

Subham Kumar Son of Chhotelal Prasad Resident of Gola Road, Behind
D.A.V. School, Ward No. 20, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate
For the State : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2026 Heard Mr. Ghanshyam Tiwary, learned counsel for
the petitioner and Mr. Md. Mushtaque Alam, learned APP for the
State.

2. Petitioner seeks bail, who is in custody since
09.01.2026, in connection with S.K. Puri P.S. Case No. 129 of
2025, F.I.R. dated 16.05.2025 registered for the offences
punishable under Sections 304(2) of the B.N.S., 2023

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 initially the petitioner was
not named in the F.I.R. and the name of the petitioner has been
transpired during investigation 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. Learned counsel for the petitioner further submits that similarly situated co-accused person namely Deepak Kumar has been granted the privilege of anticipatory bail vide order dated 08.09.2025 passed in Cr. Misc. No. 60834 of 2025 and till date no TIP was conducted by the prosecution. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 09.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one.

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 S.D.J.M., Patna in connection with S.K. Puri P.S. Case No. 129 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)

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