

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22389 of 2026

Arising Out of PS. Case No.-409 Year-2024 Thana- BIHARIGANJ District- Madhepura

Pappu Kumar Son of Phoochan Das Resident of Village- thutha Parariya,
Ward No. 7, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rupesh Kumar
	:	Mr. Ravikant
For the Opposite Party/s	:	Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.12.2024 in connection with Bihariganj P.S. Case No. 409 of
2024 for the offence punishable under Section 304 of BNS.

3. The prosecution case, in brief, is that on
12.12.2024, informant and his companion Pankaj Kumar Yadav
went to village Mohanpur Chowmukh, Sarauni Ward No. 11,
Sharma Tola, under Bihariganj Police Station for group
collection. The total amount collected from all the places was
Rs. 64,290/-, which was sixty four thousand two hundred ninety.
Pankaj Kumar Yadav, sitting behind, was returning to his branch
with the money in his hand, a little ahead of village Sarauni



Ward No. 11, Sharma Tola, 50 steps behind when he reached at around 4 pm, three unknown persons riding a motorcycle from behind overtook his motorcycle and snatched the bag from his companion's hand and fled away. Taking the total collection amount of Rs. 64,290/- (sixty four thousand two hundred ninety) and the said mobile phone in the bag, the three persons fled towards Sarauni.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and the name of the petitioner has transpired during investigation on the basis of confessional statement of co-accused. It is next submitted that petitioner has also confessed his guilt in the present occurrence and except the aforesaid, no cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and nothing has been recovered from the possession of the petitioner. It is next submitted that till date no TIP has been conducted of the prosecution and police after investigation has submitted charge-sheet and the petitioner is in custody since 16.12.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of three



cases other than the present case but fairly submits that petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances and that petitioner is a person with clean antecedent and that there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023, 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 ACJM, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 409 of 2024, 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 canceled 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)

Gaurav Sinha/-

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