

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23287 of 2026

Arising Out of PS. Case No.-35 Year-2025 Thana- KADIRGANJ District- Patna

Deepak Kumar S/o Sanjay Kumar Resident of Village- Chandu Bigha, P.S.-
Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Pandit, Advocate

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 13-05-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner makes a prayer for bail in connection with Kadirganj P.S. Case No.35 of 2025, F.I.R dated 26.02.2025 registered for the offences punishable under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, on 25.02.2025 at about 6:30 P.M., the informant, Sujit Kumar, while returning home from his shop near Radha Chaumohani More, was intercepted by three persons on a Pulsar 220 motorcycle who hit his bicycle, assaulted him, threatened him with a pistol, and snatched his mobile phone containing Airtel SIM No. 7076830674, after which they fled from the spot. On the basis of his written report



dated 26.02.2025, the FIR was lodged.

4. Learned counsel for the petitioner submits that the name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Jitendra Kumar and nothing incriminating is said to have been recovered from the constructive possession of the petitioner rather the alleged motorcycle is said to have been recovered from the place of one Aman Kumar. It has next been submitted that the said motorcycle is in no way connected with the petitioner and the petitioner earns his livelihood by rendering his services as a labour and is ready to cooperate with the trial and undertakes to appear on each and every date fixed by the concerned Court and shall not do anything that may impede the proceedings from continuing in accordance with law. Lastly, it has been submitted that the petitioner is in judicial custody since 17.01.2026.

5. Learned Additional Public Prosecutor for the State opposes the prayer for regular bail.

6. Considering the facts and circumstances that the name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Jitendra Kumar and nothing incriminating is said to have been recovered from the constructive possession of the petitioner and the petitioner is in



judicial custody since 17.01.2026, let the petitioner be enlarged 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 A.C.J.M.- Masaurhi, in connection with Kadirganj P.S. Case No.35 of 2025, subject to the condition that the petitioner shall co-operate in the investigation/trial.

(Ajit Kumar, J)

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