

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26543 of 2026

Arising Out of PS. Case No.-142 Year-2023 Thana- PURAINI District- Madhepura

Amit Roy @ Amit Kumar Roy S/O Late Birendra Ray @ Birendra Roy R/O
Village- Ganeshpur, Ward no. 10, PS- Puraini, Distt- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-05-2026 Heard Mr. Amarnath Jha, learned counsel for the

petitioner and Dr. Indihar Kumari, learned Additional Public
Prosecutor for the State who has appeared through virtual mode.

2. Petitioner seeks bail who is in custody since
26.11.2024 in connection with Puraini P.S. Case No. 142 of
2023 for the offence punishable under Section 392 of IPC.

3. The case of the prosecution, in brief, is that on
26.06.2023 at about 05:40 hours in the evening, three unknown
miscreants carrying carbine and pistol riding on Apache
motorcycle came at the informant's shop named 'Rajasthan
Marble House' and assaulted the informant and fired at him
from firearms and took his two mobile-phone (vide No.
8092293283 & 7488831817) kept on the counter of the shop.
The whole incident is alleged to have been captured in the



CCTV footage.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is further submitted that petitioner is not named in the FIR and the name of the petitioner has transpired on the basis of suspicion, thereafter, the petitioner has confessed his guilt in the present occurrence which was recorded in Puraini P.S. Case No. 248 of 2023 and the petitioner has been remanded in the present case. Learned counsel for the petitioner next submits that except the aforesaid nothing has come during the investigation to suggest the involvement of the petitioner with the present occurrence and for the same set of allegation similarly situated co-accused persons, namely, Jay Jay Sahni, Mantu Sah and Nitish Kumar have been granted bail by Coordinate Benches of this Court vide orders dated 21.05.2024, 15.07.2024 and 14.02.2025 passed in Cr. Misc. Nos. 37536 of 2024, 41002 of 2024 and 10528 of 2025 respectively. It is next submitted that police after investigation has submitted charge-sheet and petitioner is in custody since 26.11.2024 .

5. The learned Additional Public Prosecutor for State and has vehemently opposed the prayer for bail of the petitioner and submits petitioner has antecedent of twenty-one cases other



than the present case but fairly submits that out of twenty-one cases, petitioner is on bail in four cases and in nine cases the petitioner is on acquittal and the rest cases are pending for consideration before the court of competent law.

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 JM 1st Class Udakishunganj, District-Madhepura in connection with Puraini P.S. Case No. 142 of 2023, 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)

Gaurav Sinha/-

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