

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24111 of 2026

Arising Out of PS. Case No.-595 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Deva Gupta @ Deva Kumar S/O Lalbabu Sah Resident of Village- Mathiya
Dih, P.S.- Chhatauni, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.09.2025 in connection with Muffasil P.S. Case No. 595 of
2025 for the offences punishable under Sections 309(6), 118(2),
109 of B.N.S.

3. The prosecution case in short is that on 15.9.2025
informant gave a written report to SHO Muffasil alleging
therein that while he was going to his house along with hisson,
three unknown miscreants dashed motorcycle of the informant
and thereafter shot him on his leg and looted jewelry of worth
Rs 3 to 4 lakhs and Rs 2000. Hence the F.I.R.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case. It is next submitted that petitioner is not named in the FIR and it appears from the impugned order that some articles have been recovered from the possession of the petitioner but from perusal of the seizure list it appears that the same has been recovered from the joint possession of the petitioner and co-accused persons. It is next submitted that till date no TIP has been conducted by the prosecution. Learned counsel for the petitioner next submits that police after investigation has submitted charge-sheet and petitioner is in custody since 17.09.2025.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of nine cases other than the present case but fairly submits that the petitioner is on bail in the pending matter.

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 C.J.M., East Champaran, Motihari in connection with Muffasil P.S. Case No. 595 of 2025, 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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