

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36179 of 2026**

Arising Out of PS. Case No.-468 Year-2025 Thana- NARPATGANJ District- Araria

Santosh Kumar S/O Kamleshwari Kurgiya @ Kamleshwari Kodagiya R/O  
Hriday Nagar, Ward No. 06, P.S.- Birpur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      18-06-2026                      Heard Mr.Shailendra Kumar Singh, learned counsel  
for the petitioner and Mr.Aditya Narayan Singh.1, learned  
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
27.12.2025 in connection with Narpatganj P.S. Case No. 468 of  
2025, FIR dated 26.12.2025 for the offence punishable under  
Section 309(4) of the BNS.

3. The case of the prosecution, in brief, is that on  
24.12.2025 at about 04:30P.M., two accused persons booked the  
informant's rickshaw. Upon reaching Madhura North Shiv  
Mandir, one more person arrived on a motorcycle and all the  
three persons wrongfully restrained the informant, tied his hands  
and legs and forcibly took him to a maize field, there they  
robbed his Samsung mobile phone, Rs. 7,000/- in cash and his



City Rickshaw bearing Registration No. BR50ER3472 and fled away. During inquiry, the informant came to know that the occurrence was committed by Arun Tiwari and Lala Tiwari.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Raja Kumar Tiwary @ Raja Tiwari who is also not named in the FIR and except the confessional statement of co-accused person, nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and till date no TIP has been conducted by the prosecution and said co-accused person, namely, Raja Kumar Tiwary @ Raja Tiwari has been granted bail by this Court vide order dated 07.05.2026 passed in Cr. Misc. No.32172 of 2026 and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 27.12.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one, as mentioned in para-3 of the bail petition.



6. Considering the aforesaid facts, petitioner is not named in the FIR, the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, till date no TIP has been conducted by the prosecution and co-accused person, namely, Raja Kumar Tiwary @ Raja Tiwari has been granted bail by this Court, 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 learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 468 of 2025, with 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/her absence on two consecutive dates without sufficient reason, his/her 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)**

Nitesh/-

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