

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43393 of 2026

Arising Out of PS. Case No.-12 Year-2026 Thana- NTPC District- Patna

Suraj Kumar S/o Horil Saw Resident of Village- Ramnagar, P.S.- N.T.P.C.,
District- Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ambrish Kr Jha, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-07-2026

Heard Mr. Ambrish Kr Jha, learned counsel for the petitioner as well as Mr. Kanhiya Kishor, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 16.03.2026 in connection with NTPC P.S. Case No. 12 of 2026, F.I.R. dated 02.02.2026 for the offences punishable under Sections 309(4) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, two unknown miscreants cut the rope of the informant's truck and opened the Tirpal and committed theft of the valuable goods kept inside the truck. When the informant raised an alarm, one of the accused person threatened him with a knife, Thereafter the said two unknown persons escaped on a black motorcycle with the wooden box.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. He further submits that petitioner was initially not named in the FIR and his name has been transpired on the basis of the confessional statement of the co-accused person, namely, Ravi Kumar and till date no TIP has been conducted by the prosecution and nothing has been recovered from the conscious possession of the petitioner or from his house. He next submits that similarly situated co-accused persons, namely, Ravi Kumar and Jay Prakash have been granted the privilege of bail by this Court vide order dated 13.05.2026 in Cr. Misc. No. 32706 of 2026 and Cr. Misc. No. 32832 of 2026. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 16.03.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application 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 Additional Chief Judicial Magistrate, 1st Barh in connection with NTPC P.S. Case No. 12 of 2026, 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)

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