

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43410 of 2026

Arising Out of PS. Case No.-130 Year-2025 Thana- BAHERA District- Darbhanga

Sudhir Kumar Sah S/O Shankar Sah Resident of village- Korahiya, P.S.-
Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha
For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
07.10.2025 in connection with Bahera P.S. Case No. 130 of
2025 for the offence punishable under Section 309(4) of B.N.S.,
2023.

3. That prosecution story of the case as alleged in the
F.I.R. is in short is that on the date of occurrence informant was
going to school by his Yamaha motorcycle and when he reached
near Batho then three persons came of red color Apache
motorcycle and stopped him and two persons came near him
and demanded his motorcycle on the point of pistol and one
person snatched his one plus mobile and his purse in a which
there was valuable documents and amount and two persons



snatched his motorcycle and fled away towards Darbhanga whose aged about 20-25 years.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is next submitted that petitioner was initially not named in the F.I.R. and the name of the petitioner has transpired on the basis of confessional statement of co-accused person, namely, Ranjit Kumar and till date no TIP has been conducted by the prosecution. It is next submitted that the co-accused person, namely, Ranjit Kumar who have confessed the name of the petitioner has been granted bail vide order dated 12.08.2025 passed in Criminal Miscellaneous No.54424 of 2025 by a Co-ordinate Bench and another co-accused person, namely, Raushan Kumar has been granted bail vide order dated 11.08.2025 passed in Criminal Miscellaneous No. 51265 of 2025 by a Co-ordinate Bench. Learned counsel for the petitioner next submits that police after investigation has submitted charge-sheet and petitioner is in custody since 07.10.2025 .

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 five cases other than the present case but fairly submits that the petitioner is on bail in



the pending matters. It is next submitted that it appears from the impugned order that the motorcycle in question was recovered from outside house of the petitioner.

6. Considering the aforesaid facts and circumstances as well as period of the custody, 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 A.C.J.M., Benipur, Darbhanga in connection with Bahera P.S. Case No. 130 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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