

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74553 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- MAKER District- Saran

Niraj Kumar @ Tangaria Son of Arjun Rai @ Kishore Rai R/o Village- Dihi
(Maker) P.S.- Maker District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aashish Kumar, Adv.
Mr. Avinash Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 13-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the petitioner in connection with Maker P.S. Case no.48 of 2025 registered under sections 310(4), 310(5) of BNS and Section 25(1-b)A, 26 and 35 of Arms Act.

3. Learned counsel for the petitioner submits that two persons were apprehend on the spot, as would be evident from the F.I.R, who are Kanchan Kumar and Vikash Kumar, and the specific recovery was made from their possession. So far as the petitioner is concerned, his name has transpired in the case upon the confessional statement of co-accused Kanchan Kumar, as being one of the person who fled away from the scene of



occurrence. It is further submitted that petitioner was never involved in any planning of robbery. No incriminating articles was recovered from his possession. Further, co-accused Kanchan Kumar, on whose confession, the name of the petitioner transpired, has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.06.2025 passed in Cr. Misc. No. 37906 of 2025. The petitioner is in custody since 17.04.2025 and undertakes to cooperate in the case/trial.

5. The application for bail is opposed by learned A.P.P. for the State on the ground that petitioner has five criminal antecedents. In response, learned counsel for the petitioner submits that he is on bail in the said cases.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the fact that petitioner has remained in custody since 17.04.2025 and other similarly situated co-accused has already been granted bail by this Court by aforesaid order dated 25.06.2025, the petitioner is directed to be enlarged on bail in connection with Maker P.S. Case no.48 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court, subject to the following



conditions:-

(I) One of the bailors shall be the father of the petitioner.

(II) The petitioner shall remain physically present in the learned trial Court on each date and shall cooperate in the trial. In case the petitioner is absent on the two consecutive dates without sufficient reasons, the learned trial Court would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

Harsh/-

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