

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74704 of 2025

Arising Out of PS. Case No.-241 Year-2023 Thana- GRIYAK District- Nalanda

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1. Nitish Kumar Kameshwar Kewat R/o Village - Marsua, P.S. - Makdumpur(Tehta), Dist. - Jehanabad.
 2. Shyam Kumar Kameshwar Kewat R/o Village - Marsua, P.S. - Makdumpur(Tehta), Dist. - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 06-02-2026 Heard the parties.

2. The petitioners are in judicial custody in connection with Giriyak Pawapuri P.S. Case No. 241 of 2023 for the offence punishable under Section 394 of the Indian Penal Code lodged on 10.05.2023 by the informant, Sonu Kumar.

3. As per the prosecution story, the informant alleged that while he was returning from Fatehpur after performing programme, as his motorcycle reached, the accused persons on the point of pistol, snatched gold locket as also Rs. 6,000/- from his pocket. As he raised alarm, the accused resorted to firing causing injury on his nose and he became unconscious. Later, he found himself in Pawapuri hospital where treatment took place.



This led to the F.I.R.

4. Learned counsel for the petitioners submit that they have already suffer by being in custody since 03.07.2024 and if granted relief, they shall be diligently appearing in trial and shall not indulge in any criminal activity, failing which, appropriate steps can be taken for cancellation of the bail bond.

5. Learned APP opposes the prayer for bail submitting that they have criminal antecedent of the same nature.

6. Allegation is there, considering the fact that the trial has still not concluded, they are in custody since 03.07.2024 and further undertake to diligently appear in trial, in that background, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with Giriyak Pawapuri P.S. Case No. 241 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for six months to mark their attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

8. Pending I.A., if any, stands disposed of.

(Rajiv Roy, J)

Adnan/-

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