

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77473 of 2025

Arising Out of PS. Case No.-145 Year-2004 Thana- MANER District- Patna

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Dilip Rai S/o Late Sahdev Rai, R/o Village- Sherpur, Rampur, P.S. Maner,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Das, Advocate
For the State : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-01-2026 Heard Mr. Ram Shankar Das, learned counsel for

the petitioner and Mr. Upendra Kumar, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
03.07.2025, in connection with Maner P.S. Case No. 145 of
2004, F.I.R. dated 21.12.2004 registered for the offences
punishable under Section 395 of the Indian Penal Code.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the
petitioner has not committed any offence as alleged in the F.I.R.



It appears from the F.I.R. that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused person namely Dilip Kumar and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and till date no test identification parade was conducted by the prosecution. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 03.07.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur, Patna in connection with Maner P.S. Case No. 145 of



2004, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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