IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77592 of 2026

CNR No. BRHC011105022026

Arising Out of PS. Case No.-163 Year-2026 Thana- KESARIA District- East Champaran

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Ramjee Prasad Son of Bilash Prasad @ Bilash Sah Resident of village - Sirauna, Ward No.- 13, P.S.- Shikarganj, Dist.- East Champaran Motihari.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Dhandev Kumar, Advocate
For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner seeks bail in connection with Kesariya P.S. Case No. 163 of 2026 dated 19.04.2026 registered for the offences punishable under Sections 305 and 331(4) of the B.N.S. Act.

3. As per the prosecution case, the informant has alleged that unknown thieves had committed loot from his house by breaking the backdoor and took away gold and silver jewellery as also Rs. 40,000/- in cash.

4. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. and his name has transpired in the confessional statement of one co-accused, Chandan

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Kumar. It has been submitted that the petitioner has falsely been implicated in the present case merely because he carries four criminal cases of similar nature. It has also been submitted that confessional statement has no evidentiary value and moreover, no incriminating article has been recovered from the conscious possession of the petitioner or from his shop. It has lastly been submitted that the petitioner is in custody since 07.07.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Having heard learned counsel for the parties and taking into account the fact that no incriminating article has been recovered and moreover, the name of the petitioner has surfaced in the confessional statement of the co-accused, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor court in connection with Kesariya P.S. Case No. 163 of 2026, subject to the following terms and conditions :-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present

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before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The trial court 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 trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, East Champaran, Motihari within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail of the

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petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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