IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78697 of 2026

CNR No. BRHC011140782026

Arising Out of PS. Case No.-464 Year-2025 Thana- MAHARAJGANJ District- Siwan

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Amit Patel @ Amit Kumar Son of Late Rajbanshi Patel @ Rajvanshi Singh Resident of village - Deoria, P.S.- Maharajganj, Distt.- Siwan

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner : Mr. Y.C. Verma, Sr. Advocate
Ms. Kumari Anupam, Advocate
For the State : Ms. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with STR No. 529 of 2026, arising out of Maharajganj P.S. Case No. 464 of 2025 dated 12.09.2025, registered for the offences punishable under Sections 109, 308(3), 308(5) and 3(5) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, two unknown miscreants on a motorcycle came to the shop of the informant and one of them fired twice by drawing out a pistol and the informant saved himself by hiding behind the counter of the shop. The miscreants threw a chit demanding rupees twenty lakhs within three days. The name of the petitioner transpired during

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investigation for being involved in this extortion demand.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. There is no material to show the complicity of the petitioner and merely on suspicion the petitioner has been named in this case. No test identification parade has been conducted to establish the identity of the petitioner as one of the accused persons. Moreover, only two miscreants have been mentioned in the FIR and during investigation two co-accused persons, namely Suraj Kumar and Gaurav Kumar @ Mukhiya confessed their involvement in the present occurrence. Charges have also been framed on 20.08.2026. Learned counsel next submits that petitioner is having antecedent of six cases and out of six cases he has been acquitted in two cases and he is on bail in four cases. Learned counsel lastly submits that petitioner is in custody since 30.05.2026.

5. Learned A.P.P. appearing on behalf of the State vehemently opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the framing of charge against the petitioner and his period of custody in the background of nature of allegation, the petitioner, above-

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named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Siwan / concerned Court, in connection with **STR No. 529 of 2026, arising out of Maharajganj P.S. Case No. 464 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

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

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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