IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80936 of 2026

CNR No. BRHC011173312026

Arising Out of PS. Case No.-54 Year-2025 Thana- VIDYAPATINAGAR District- Samastipur

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Aditya Kumar @ Ashish Mishra Son of Kaushal Kumar Mishra Resident of village - Bank Men Colony Near R.N. College, Hajipur, P.S.- Hajipur (Vaishali) Nagar, District - Vaishali

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Ms. Shilpa Kumari, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned A.P.P. on behalf of the State.

2. This application is filed for grant of regular bail to the petitioner who has been made accused in connection with Bidhyapati Nagar (Vidhyapati Nagar) P.S. Case No. 54 of 2025, registered for the offences punishable under Sections 310(2) of the B.N.S.

3. As per the prosecution, it is alleged that on 17.04.2025, while the informant was returning home, nine persons travelling on three motorcycles intercepted him. Putting the informant under fear and intimidation, the accused allegedly committed robbery of the informant's motorcycle, mobile

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phones, and a purse containing cash of Rs. 2000/-, leading to the registration of this FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the FIR and has been falsely implicated in the present case. It is submitted that the FIR was lodged against unknown miscreants and the petitioner is not named in the FIR, and also, no Test Identification Parade (T.I.P.) was conducted during investigation. It is submitted that the name of the petitioner surfaced during investigation solely on the basis of the confessional statement of the co-accused, namely, Durgesh Kumar in another case. Further, it is submitted that no incriminating article has been recovered from the conscious possession of the petitioner.

5. Learned counsel for the petitioner submits that investigation has been completed and charge-sheet has been filed against the petitioner and the trial Court has framed the charges against the petitioner. In the present case, the petitioner is in judicial custody since 01.07.2025 having one criminal antecedent in which he has been granted bail.

6. The Coordinate Bench of this Hon’ble Court, vide order dated 11.02.2026 passed in Cr. Misc. No. 80341 of 2025

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and vide order dated 14.08.2026 passed in Cr. Misc. No. 58266 of 2026 has granted bail to the co-accused, namely, Durgesh Kumar and Avinash Kumar respectively.

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

8. Considering the aforesaid facts and circumstances of the case, the period of custody and also taking into consideration the materials available on record, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand rupees) with two sureties of the like amount each to the satisfaction of the Court of learned District and Additional Sessions Judge, Dalsinghsarai (Samastipur) in connection with Bidhyapati Nagar (Vidhyapati Nagar) P.S. Case No. 54 of 2025 and Session Trial No. 193 of 2026 on the following conditions:-

(i) That one of the bailors should be family member of the petitioner.

(ii) That the petitioner will cooperate in the trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the Court, he should physically appear in Court on that date.

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

(Kumar Manish, J)

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