

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85906 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- GADHPURA District- Begusarai

Sunil Kumar S/O Jagdish Mahto R/O Village- Isimaila Thatiya, P.S- Rosera,
Distt.- Samastipur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh,APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 09-01-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with Garhpura P.S. Case No. 34 of 2025 dated 13.04.2025 registered for the offence punishable under Section 309(4) of the B.N.S.

3. As per the prosecution case, the informant has alleged that three unknown miscreants on a motorcycle intercepted him and on the point of pistol, looted away his motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR and during the course of investigation while the petitioner was arrested in connection with Rosera P.S. Case No. 130/2025 and his self



confessional statement was recorded to have been involved in the present case. It has next been submitted that admission before the police cannot be ground for implicating the petitioner in the present case moreover no incriminating article has been recovered from the conscious possession of the petitioner and merely because the petitioner has two criminal antecedents of similar nature due to which he has been falsely implicated in this case. It has lastly been submitted that the petitioner has two criminal antecedents and he is in custody since 19.05.2025.

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

6. Considering the facts and circumstances of the case, 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 concerned, Begusarai in connection with Garhpura P.S. Case No. 34 of 2025, subject to the following terms and conditions :-

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

(ii) The petitioner shall remain physically present 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) 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.

(v) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Begusarai, 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 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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