IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80969 of 2026

CNR No. BRHC011187192026

Arising Out of PS. Case No.-740 Year-2026 Thana- HILSA District- Nalanda

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Amit Kumar S/O Bhonu Prasad @ Madan Prasad R/O Vill.- Teka Bigha, P.s.- Hilsa, Dist.- Nalanda.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anil Kumar Singh, Adv.
For the Opposite Party/s : Mr. Binod Kumar, 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 APP for the State.

2. This is an application for regular bail to the petitioner who has been made accused in connection with Hilsa P.S. Case No. 740 of 2026 registered for the offences punishable under Section 309(6) of the BNS.

3. As per the prosecution case, three unknown persons on a motorcycle chased the informant and his friend who were riding a motorcycle. They grabbed the informant's collar, causing him to fall and suffer a leg fracture when a motorcycle went over his leg. One assailant forcibly took Rs. 150/- from the informant's pocket, assaulted him with kicks, and fled with motorcycle and money while issuing threats.

4. Learned counsel for the petitioner submits that

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petitioner is quite innocent, has committed no offence and has falsely been implicated in this case due to village politics. Petitioner is not named in the FIR, name of the petitioner has emerged during investigation on a Guptchar report and his confessional statement, without any cogent material against him. It is submitted that there is no any recovery of looted motorcycle or other articles either from the conscious possession of the petitioner or from his house, and the motorcycle was recovered near co-accused Rabish Kumar's house following an accident involving Rabish's and the informant's motorcycles.

5. It is further submitted that no Test Identification Parade (T.I.P.) has been held so far, the injury report reflects swelling and tenderness. Petitioner is having one criminal antecedent in which he is on bail. Moreover, the petitioner is languishing in judicial custody since 28.08.2026. Investigation has been completed and charge-sheet has already been filed on 23.11.2026 vide charge-sheet no. 01 of 2026.

6. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into

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consideration the fact that investigation has been completed and there is no recovery from the petitioner rather the recovery is from co-accused, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Hilsa, Nalanda/concerned court in connection with Hilsa P.S. Case No. 740 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in 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 the court on that date.

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

(Kumar Manish, J)

Abhishek/-

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