

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82402 of 2025

Arising Out of PS. Case No.-1308 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Abhinav Kumar @ Aditya Son of Raj Kumar Patel Resident of Village-
Miscout, P.S.- Town Motihari, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 31-01-2026 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Anil Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
18.03.2025, in connection with Turkauliya (Raghunathpur) P.S.
Case No. 1308 of 2023, F.I.R. dated 29.12.2023 registered for
the offences punishable under Sections 394, 307 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named
in the F.I.R. and the name of the petitioner has been transpired



on the basis of confessional statement of co-accused person namely Shiv Kumar and nothing has been recovered from the conscious possession of the petitioner. He further submits that till date no TIP was conducted by the prosecution as mentioned in the act and even the informant has not identified the petitioner as yet and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 18.03.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases of similar nature other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person and till date no TIP was conducted by the prosecution, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate,



East Champaran, Motihari in connection with Turkauliya (Raghunathpur) P.S. Case No. 1308 of 2023, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below 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 court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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(Rajesh Kumar Verma, J)

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