

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84459 of 2025

Arising Out of PS. Case No.-261 Year-2025 Thana- KHIJARSARAI District- Gaya

Pravin Kumar S/o Rajnandan Yadav Resident of Village- Genda Bigha, P.S.-
Hulashganj, District- Jehanabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar, Advocate
	:	Mr. Shubhankar Raj, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2026 Heard Mr. Umesh Kumar, learned counsel for the
petitioner as well as Mr. Manoj Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.08.2025 in connection with Khizersarai P.S. Case No. 261 of
2025, F.I.R. dated 10.07.2025 for the offences punishable under
Sections 304(2) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, it is alleged that
when the informant along with his sister-in-law was returning to
home in motorcycle after withdrawing of Rs.2 Lakh from Bank,
in the meantime, two persons in motorcycle came and snatched
bag, from the hand of sister-in-law of informant, containing



PAN Card, cheque book, Pass Book, Rs.2 Lakh cash and then fled away.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Petitioner is not named in the FIR and his name transpired during investigation on the basis of secret information which was recorded in paragraph no.54 of the case diary and as per FIR one Blue Appachy motorcycle has been used in the alleged occurrence but nothing was recovered from the front of house of the petitioner and the said motorcycle belongs to one Chotu Kumar and till date no TIP has been conducted. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 25.08.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the recovered motorcycle belongs to the petitioner and apart from that the petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances,



petitioner is not named in the FIR and his name transpired on the basis of secret information and the recovery of the motorcycle used in the alleged occurrence was made from village of the petitioner and not from front of his house, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, First Class, Gaya in connection with Khizersarai P.S. Case No. 261 of 2025, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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 antecedent, 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.

(Rajesh Kumar Verma, J)

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