

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84577 of 2025

Arising Out of PS. Case No.-318 Year-2023 Thana- CHIRAIYA District- East Champaran

Sahil Kumar S/O Vikram Paswan @ Surjit Paswan R/O Vill.- Harihara, P.S.-
Shikarganj, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 05-01-2026 Heard the learned counsel for the petitioner and

learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Chiraiya P.S. Case No. 318 of 2023 registered for the offences punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution case, the informant has alleged that while he was present at a petrol pump, four miscreants arrived on two motorcycles. One of the miscreants fired a shot and at the point of a pistol, the accused persons snatched Rs. 40,000/- and the mobile phone of the informant.

4. The learned counsel for the petitioner submits

that the F.I.R. was registered against unknown persons and that the petitioner's name has subsequently transpired solely on the basis of the confessional statement of the co-accused, namely, Pritam Paswan. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner and that till date no T.I.P has been conducted. It is also submitted that the co-accused persons, namely, Chandan Thakur and Pritam Paswan, have already been granted bail by a coordinate Bench of this Hon'ble Court vide order dated 18.10.2023 passed in Cr. Misc. No. 68140 of 2023 and vide order dated 12.02.2025 passed in Cr. Misc. No. 4843 of 2025 respectively.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submission, facts and circumstances of the case, 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 court below where the case is pending/successor court in connection Chiraiya P.S. Case No. 318 of 2023 subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(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) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, East Champaran, Motihari within fifteen 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 Superintendent of Police concerned 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 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. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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