

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84520 of 2025

Arising out of PS. Case No.-267 Year-2025 Thana- PARIHAR District- Sitamarhi

1. Neeraj Kumar S/o Satyanarayan Mahto R/o village - Kadharwa (Badi Singhwahini) @ ward no. 9 Karharwa Singhibahni @ Karharwa, P.S.- Bhutahi @ Bhuthi, District - Sitamarhi
2. Sudhir Kumar S/o Ajay Raut R/o village - Kadharwa (Badi Singhwahini) @ ward no. 9 Karharwa Singhibahni @ Karharwa, P.S.- Bhutahi @ Bhuthi, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s: Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

2. The petitioners seek bail in a case instituted for the offences under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023. Petitioner No. 1 has three criminal antecedents and Petitioner No. 2 has one criminal antecedent.

3. As per the prosecution case, the informant has alleged that in the night when he along with his friend was coming from his house, 4-5 miscreants on two Apache motorcycle wrongfully restrained them. It is further alleged that on the gun-point they robbed the informant of Rs. 7,000/- and two motorcycles.



4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case. It is further submitted that the recovery of two motorcycles were made from the house of co-accused Vikram Kumar and Govind Kumar and the petitioners have been remanded in the present case from Sonbarsa P.S. Case No. 155 of 2025. It is lastly submitted that the charge-sheet has been submitted against the petitioners and petitioner No. 1 has three criminal antecedents and Petitioner No. 2 has one criminal antecedent and they are in custody since 13.08.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that the petitioners are in custody since 13.08.2025, the petitioners above named, are directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned learned Judicial Magistrate, 1st Class, Sitamarhi in connection with Parihar P.S. Case No. 267 of 2025, subject to the the following conditions:-

(i) One of the bailors will be a



close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioners as mentioned above and in case at any stage it is found that the petitioners has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

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

8. In view of the antecedents of the petitioners, the pe-



petitioners are directed to appear before the Superintendent of Police, Sitamarhi within fifteen days of their release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners 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 petitioners before the court concerned.

(Sourendra Pandey, J)

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