

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3384 of 2025

Arising Out of PS. Case No.-635 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

=====

Rishu Kumar S/o Prabhu Prasad Gupta @ Prabhu Prasad R/o Village-
Dharmasamaj Chowk, P.S.- Town, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sauravh Singh, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 16-03-2026 Heard Mr.Sauravh Singh, learned counsel for the

petitioner and Mr.Uma Shankar Prasad Singh, learned A.P.P.

for the State.

2. The petitioner seeks bail, who is in custody since
27.06.2024 in connection with Town P.S. Case No. 635 of
2023, F.I.R. dated 25.09.2023 registered for the offence
punishable under Sections 356 and 379 of IPC.

3. The FIR of the occurrence of theft is against
unknown.

4. Learned counsel appearing for the petitioner
submits that it appears from the FIR that the FIR has been
instituted against unknown persons. The name of the petitioner
has been transpired during investigation on the basis of the



confessional statement of co-accused person, namely, Munna Kumar @ Munna Singh which was recorded in paragraph-26 of the case diary. Nothing has been recovered from conscious possession of the petitioner and till date no TIP has been conducted by the prosecution and the petitioner has been remanded in the present case from Town P.S.Case No. 235 of 2024 on 27.06.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one but he fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the supplementary affidavit.

6. Considering the aforesaid fact, the petitioner is not named in the FIR, name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person and till date no TIP has been conducted by the prosecution as well as the period of custody, 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 learned C.J.M., East Champaran, Motihari in connection with Town P.S. Case No. 635 of 2023, with 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/her absence on two consecutive dates without sufficient reason, his/her 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)

Nitesh/-

U		T	
---	--	---	--

