

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85622 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- HARSIDHI District- East Champaran

Birendra Ram @ Virendra Kumar, Son of Chandeshwar Ram, R/o Village -
Manikpur, P.S. - Harsidhi, 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. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Harsidhi P.S. Case No. 72 of 2025 registered for the offences punishable under Section 309(2) of the Bharatiya Nyaya Sanhita, 2023. Later on, Section 309(4) of the Bharatiya Nyaya Sanhita, 2023 was added vide order dated 15.04.2025.

3. As per the prosecution case, the informant has alleged that two unknown persons have snatched away the money worth Rs.47,450/- and a mobile phone.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and no incriminating article has been recovered from his conscious possession. It has further



been submitted that till date no TIP has been conducted in order to ascertain the identity of the petitioner to be involved in the present case. It has lastly been submitted that the petitioner has been implicated in this case on the basis of his confessional statement recorded during his arrest in Harsidhi P.S. Case No. 108 of 2025. It has also been submitted that other co-accused person, namely, Vishal Kumar has been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 17.09.2022 passed in Cr. Misc. No.67451 of 2025. The petitioner carries three criminal antecedents and is in custody since 24.04.2025.

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

6. Considering the aforesaid submissions made by the parties, 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 with Harsidhi P.S. Case No. 72 of 2025, 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.

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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