

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88130 of 2025

Arising Out of PS. Case No.-392 Year-2025 Thana- BYPASS District- Patna

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Anshu Kumar @ Aman Kumar Son of Shri Munna Kumar Resident of
Village- Marchi, P.S.- Bypass, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate
For the State : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-01-2026 Heard Mr. Deepak Kumar Singh, learned counsel for

the petitioner and Mr. Bhanu Pratap Singh, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
05.08.2025, in connection with Bypass P.S. Case No. 392 of 2025,
F.I.R. dated 30.07.2025 registered for the offences punishable
under Sections 309(4) of the B.N.S., 2023.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named in
the F.I.R. and the name of the petitioner has been transpired on the
basis of confessional statement of co-accused person. Although



some articles have been recovered from the house of the petitioner but there is non-compliance of Section 100(4) of the Cr. P.C./103 of B.N.S.S., 2023 and till date no TIP was conducted by the prosecution. He further submits that similarly situated co-accused person namely Chandra Shekhar Kumar Azad has been granted bail by a Coordinate Bench of this Court vide order dated 12.01.2026 passed in Cr. Misc. No. 86622 of 2025 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 05.08.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the looted articles have been recovered from the house of the petitioner and apart from aforesaid the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that the petitioner is not named in the F.I.R and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person and similarly situated co-accused person has been granted bail by a Coordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of learned Judicial Magistrate First Class, Patna City, Patna in connection with Bypass P.S. Case No. 392 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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