

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91097 of 2025

Arising Out of PS. Case No.-355 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Abhisek Kumar @ Abhisek Yadav S/O Babudhan Yadav Resident of Village-
Repura Tola Neurpokhar, P.S - Jagdishpur, District - Bhojpur, Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Udwantnagar P.S. Case No. 355 of 2024 registered for the offences punishable under Sections 309(4) of the BNS.

3. As per the prosecution story, the informant has alleged that on 13.08.2024, he arrived at Ara Railway Station from Kolkata at about 05:30 a.m. He is engaged in the business of buying and selling cattle, and his relative Haji Nawab Ahmed, was accompanying him. From Ara Railway Station, he along with his acquaintances hired an auto-rickshaw from Bihari Mill Road and proceeded towards Gadhani Cattle Fair for purchasing cattle. When they reached near Tetaria, suddenly



three to four unknown persons, riding on two motorcycles having their faces covered with handkerchiefs, intercepted their auto-rickshaw. They came from behind, blocked the auto-rickshaw, and surrounded it. One of the miscreants pointed a country-made pistol at him and forcibly attempted to snatch the bag he was carrying. When he resisted, the miscreant threatened him to leave the bag, otherwise he would shoot him. Out of fear, the informant left the bag, which was containing cash amounting to Rs. 3,00,000/- and some clothes. After snatching the bag, all the accused fled towards Zero Mile.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to suspicion. From bare perusal of the F.I.R., it transpired that petitioner was initially not named in the F.I.R. but subsequently his name has been transpired in the instant case merely on the basis of confessional statement of co-accused namely, Deepak Kumar Chandravanshi made before the police, which has no evidentiary value in the eyes of law. The petitioner has not committed any offence as alleged in the F.I.R. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner or from his house. Police has not conducted Test Identification Parade of the



petitioner till date and he is in custody since 24.07.2025 having no criminal antecedent. After completion of investigation chargesheet has been submitted by the police against the petitioner in the present case.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Udwanthnagar P.S. Case No. 355 of 2024 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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