

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90100 of 2025

Arising Out of PS. Case No.-488 Year-2025 Thana- FATEHPUR District- Gaya

Raushan kumar Son Of Mahendra Singh Resident of village -
Dhibini,Basiyalet,P.S.- Maskaur,Dist.- Nawada,Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anmol Kumar, Advocate
For the Informant	:	Mr. Sudhir Kumar Sinha, Advocate
For the State	:	Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-01-2026 Heard Mr. Anmol Kumar, learned counsel for the petitioner, Mr. Sudhir Kumar Sinha, learned counsel for the Informant and Mr. Choubey Jawahar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 02.07.2025, in connection with Fatehpur P.S. Case No. 488 of 2025, F.I.R. dated 01.07.2025 registered for the offences punishable under Sections 309(6) of the B.N.S.

3. The prosecution case, in brief, is that unknown miscreants have taken away the bike, Rs. 10,000/- and a mobile of the informant. After the occurrence, police apprehended the accused Manish Kumar, Nayan Kumar, Raushan Kumar and Sanoj Kumar.

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 allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. From perusal of the F.I.R. it appears that the informant has disclosed the name of accused person namely Nayan Kumar @ Niyan Kumar and thereafter in the second query he has also stated that he has identified the petitioner and other co-accused person namely, Manish Kumar. Learned counsel for the petitioner further submits that nothing has been recovered from the conscious possession or the house of the petitioner and he has been made accused merely on the basis of suspicion and co-accused person namely Vikash Kumar whose name has been transpired during investigation has been granted bail by a Coordinate Bench of this Court vide order dated 16.12.2025 passed in Cr. Misc. No. 85229 of 2025 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 02.07.2025.

5. The learned Additional Public Prosecutor for the State as well as learned counsel for the Informant, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R.



and he has participated in the present crime in question as well as petitioner carries one more case other than the present one.

6. Considering the facts and circumstances of the case and the fact that 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 Chief Judicial Magistrate, Gaya Ji in connection with Fatehpur P.S. Case No. 488 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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