

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89218 of 2025

Arising Out of PS. Case No.-307 Year-2025 Thana- PIPRA District- East Champaran

Munchun Kumar @ Bittu Gupta son of Mahendra Sah Resident of Village-
Jamunia Khairi Mal, Police Station-Pipra, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Pipra
P.S. Case No. 307/2025 registered for the offences punishable
under Section 309(6) B.N.S. and 27 of the Arms Act.

3. As per prosecution case, four miscreants looted a
sum of Rs.5,00,000/- (five lac) along with blank cheques and a
pass book from the car of the petitioner and fled away from the
place of occurrence. FIR has been lodged against unknown.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged in
the FIR. The petitioner is not named in the FIR and his name has
been surfaced in this case on the basis of confessional statement
of co-accused Deepak Kumar. Except confessional statement of
co-accused, there is nothing on record to demonstrate the



complicity of the present petitioner with the alleged occurrence. The petitioner is languishing in custody since 05.07.2025 and bears no criminal antecedent. The petitioner is not present at the place of occurrence and no incriminating article has been recovered from the conscious possession of the petitioner. He orally submits that the petitioner was not identified by any person. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. On similar and identical allegation co-accused Ratnesh Kumar has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.87175/2025 and on the principle of parity the petitioner also deserves same treatment.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that during course of investigation the name of the petitioner surfaced in this case on the basis of confessional statement of co-accused Deepak Kumar and hence the petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, on similar and identical allegation co-accused has already been granted bail, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also



taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Motihari, East Champaran in connection with Pipra P.S. Case No. 307/2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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