

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3268 of 2026

Arising Out of PS. Case No.-390 Year-2025 Thana- MAIRWAN District- Siwan

1. Shivam Kumar Pandey Son of Bashishtha Pandey @ Vashisth Pandey
Resident of Village - Harnathpur, P.S. - Mairwa, Dist.- Siwan.
2. Deepak Kumar Son of Surendra Sah R/o Village - Babhnouli, P.S. - Mairwa,
Dist. - Siwan.
3. Asik @ Ashiq Ansari Son of Ash Mohammad R/o Village - Babhnouli, P.S. -
Mairwa, Dist. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C.Verma, Sr.Advocate
	:	Ms.Kumari Anupam, Advocate
For the Opposite Party/s	:	Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-01-2026 Heard Mr. Y.C.Verma, learned senior counsel

 appearing for the petitioners and Mr.Md. Matloob Rab, learned

 A.P.P. for the State.

2. The petitioners seeks bail, who is in custody since
09.10.2025 in connection with Mairwa P.S. Case No. 390 of
2025, F.I.R. dated 16.09.2025 registered for the offence
punishable under Sections 304,303(2),318(4),61(2) of BNS and
66(a) I.T.Act.

3. According to prosecution case, two unknown
persons snatched the mobile phone of the informant and Rs.
1,19,663/- had been transferred from her account and the said



amount has been credited to the account of two persons, namely, Deepak Kumar and Asik.

4. Learned senior counsel appearing for the petitioners submits that petitioner No.1 carries one more case other than the present one and he is on bail in the said case, as mentioned in paragraph-3 of the supplementary affidavit. Petitioner Nos.2 and 3 have clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. Learned senior counsel for the petitioners has drawn the attention in the impugned order which suggests that the informant, namely, Rinku Devi was present before the learned court below and she has stated that she has received the amount from the co-accused person, namely, Asik but she has also stated that co-accused persons have not returned her mobile phone, apart from the aforesaid, both the parties have filed a compromise petition before the learned court below itself on 09.10.2025 itself. Informant herself stated that she has received the amount in question from the co-accused persons and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 09.10.2025.

5. Learned APP for the State has opposed the prayer



for bail of the petitioners.

6. Considering the aforesaid facts and the informant has received the amount in question from the co-accused persons, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Mairwa P.S. Case No. 390 of 2025, with the following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

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

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioner has concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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