

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90535 of 2025

Arising Out of PS. Case No.-485 Year-2025 Thana- BETTIAH CITY District- West
Champaran

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Jitendra Kumar S/o Baidyanath Mahto @ Baijanath Mahto Resident of
Village- Kalibagh Dih (Noniya Dih), Ward No. 04, P.S.- Kalibagh, Dist.- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bettiah Town P.S. Case No. 485 of 2025 registered for the
offences punishable under Sections 317(2), 314(4), 317(5) of
BNS.

3. As per prosecution case, four persons on two
motorcycles came and after seeing the police, they started
fleeing away. It is alleged that while fleeing, both motorcycles
collide with each other as a result of which petitioner and co-
accused Pankaj Kumar riding on one motorcycle got
apprehended at the place of occurrence and they disclosed the
name of other two co-accused persons, namely, Suraj Kumar



and Gyani Sah who were riding on another motorcycle and succeeded in fleeing away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the FIR. He further submits that no incriminating article has been recovered from the possession of the petitioner. Seizure list has not been made as per law. Petitioner is in custody since 09.10.2025 and he bears criminal antecedent of three cases in which he is on bail. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that just because of having criminal antecedents, petitioner has falsely been implicated in the present case.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner by submitting that petitioner was apprehended at the place of occurrence alongwith the motorcycle. Hence, petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, 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 bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran / Successor Court in connection with Bettiah Town P.S. Case No. 485 of 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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