

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89086 of 2025**

Arising Out of PS. Case No.-208 Year-2024 Thana- SANGRAMPUR District- Munger

Mahesh Kumar S/O Brahamdeo singh R/O Mohalla/Village- Champachak,
P.S.- Tetia Bamber, Dist.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate
For the Opposite Party/s : Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 12-01-2026

Heard Mr. Kumar Kamal Nayan, learned counsel

for the petitioner and Md. Shakir Ahmad, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sangrampur P.S. Case No. 208 of 2024, F.I.R.
dated 10.10.2024 for the offences punishable under Sections
317(2) and 3(5) of the BNS, 2023.

3. According to prosecution case, the police have
apprehended co-accused, Mangal Kumar with theft vehicle and
also told that the said vehicle was purchased by Gagan Kumar
who disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. His name has been transpired on the basis of the



disclosure made by the co-accused, namely, Gagan Kumar and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired on the basis of the disclosure made by the co-accused person and apart from that the petitioner carries two criminal antecedents other than the present one but fairly submits that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances that the name of the petitioner has been transpired on the basis of the disclosure made by the co-accused person, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Munger in connection with Sangrampur P.S. Case No. 208 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other



following conditions:-

i. 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.

ii. 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.

iii. 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 antecedent, 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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