

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3660 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- Fakuli District- Muzaffarpur

Tunnu Kumar S/o Late Dinesh Mahto @ Dinesh Singh Khadvar R/o Village-
Jatkauli, P.S.- Vaishali, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 22-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Fakuli
P.S. Case No. 58 of 2024 instituted for the offences under
Section 309(4) of the BNS.

3. Prosecution case, in short, is that four unknown
miscreants looted the tractor from the informant which was
loaded with asbestos.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner



transpired in this case on the basis of his own confessional statement recorded in Fakuli P.S. Case No. 60 of 2024. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted tractor or with items which was loaded in the truck. Learned counsel further submitted that T.I.P. has not been conducted till date. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.10.2024 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that this petitioner has confessed his guilt and on the basis of his disclosure, 11 pieces of asbestos was recovered and, therefore, the involvement of the petitioner in the alleged offence cannot be discarded.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in



connection with Fakuli P.S. Case No. 58 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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