

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4560 of 2025

Arising Out of PS. Case No.-121 Year-2024 Thana- KANTI District- Muzaffarpur

Mintu Kumar @ Mintu Sah S/o Rameshwar Sah R/o Village- Mitlupur, P.S.-
Hattha, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

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

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Kanti
P.S. Case No. 121 of 2024 instituted for the offence under
Sections 397 & 398 of the Indian Penal Code and Section 27 of
the Arms Act.

3. Prosecution case in short is that five unknown
miscreants entered into the bank and fired upon the leg of the
guard, whereafter they fled away with rifle and cartridges from
the guard.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 10-07-2024. Petitioner
bears five criminal antecedents, as per disclosure made in



paragraph No.3 of the case diary.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired in this case during course of investigation. No incriminating article has been recovered from the possession of the petitioner. Petitioner was not put on T.I. Parade. It is next submitted that there is no injury report on record. Petitioner has no concern with the seized mobile phone or the SIM card. Charge sheet has been submitted in this case. Other co-accused has been granted bail by this Court *vide* order dated 04-12-2024, passed in Cr. Misc. No. 68976 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is next submitted that rifle is recovered from co-accused persons.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. 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 Kanti P.S. Case No. 121 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)

Raj Kishore/-

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