

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6356 of 2025

Arising Out of PS. Case No.-8 Year-2020 Thana- JANDAHA District- Vaishali

Raja Pathak @ Brajraj Pathak, Son of Sri Suresh Pathak, Resident of Village -
Rampur Baghal, P.S. - Deshari Sahdei, District – Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Subodh Kumar Jha, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Jandaha P.S. Case No. 08 of 2020 registered for the offences punishable under Sections 392 of the Indian Penal Code. He has three criminal antecedents but in all those cases, he is on bail and it is one of the submissions of learned counsel for the petitioner that those cases are of the year 2015 only.

3. As per the prosecution story, on 15.01.2020 at about 05:30 PM, when the informant was on his duty at Sri Balaji Fuel Kishan Seva Kendra, Petrol Pump, Yogi Chowk, Jandaha, three persons armed with weapons came there on white coloured Apache motorcycle. One of them was wearing helmet and he was on the motorcycle, second person who was covering his mouth with gamcha, entered into cash counter and the third person who was covering his face with handkerchief snatched Rs.3500/- from the



hand of the informant and looted mobile phone and SIM cards. The cash counter was locked that is why miscreants could not take money. In the meantime, the informant went on the road and started raising alarm, thereafter, all the miscreants fled away doing firing.

4. Learned counsel submits that in the present case, the name of the petitioner has transpired in the confessional statement of co-accused Laxman Singh but there is no recovery of any stolen or looted material from the possession of the petitioner or from his house. Learned counsel submits that there is inimical terms between the petitioner and Laxman Singh due to a land dispute and prior to the present case, the accused petitioner had filed an informative petition against co-accused Laxman Singh. It is also submitted that the petitioner used to reside at Patna with his family members and he had no information about the present case till Diwali of 2023 and as soon as, he came to know about his implication in the present case, he took steps to prefer pre-arrest bail in learned district court.

5. Learned APP for the State has though opposed the prayer for pre-arrest bail of the petitioner but considering that the name of the petitioner has transpired in this case in a confessional statement of co-accused who is said to be on inimical terms with the petitioner, no other material has been brought to the notice of this Court against the petitioner, hence this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with



Jandaha P.S. Case No. 08 of 2020 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Hajipur (Vaishali), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. 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.

7. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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