

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14712 of 2025

Arising Out of PS. Case No.-170 Year-2024 Thana- SOHSARAI District- Nalanda

Kunal Kumar Yadav @ Kunal Yadav @ Kunal Kumar son of Krishna Yadav
vill- Madhopur, P.S.- Bakhtiyarpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumari Pallavi, Adv. Mr. Manoj Kumar Pandey, Adv.
For the Opposite Party/s	:	Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner as well as the
counsel appearing for the respondent-State.

2. It is the first regular bail application submitted by the petitioner who has been arrested in connection with Sohsarai P.S. Case No. 170 of 2024 for the alleged offences punishable under Section 310(2) of the Bharatiya Nyaya Sanhita and subsequently added Sections 317(3) & 317(5) of Bharatiya Nyaya Sanhita.

3. According to the case of prosecution, it is alleged that on the date of incident i.e. 15.07.2024 the informant namely Anil Kumar lodged a written complaint alleging therein that on 10.07.2024 he along with his family members were present in the house and at around 01:10 A.M., 6-7 unknown persons entered the house and committed a loot of Rs. 15 lakhs cash and ornaments valued at Rs. 30-32 lakhs. On the basis of the said complaint, offence



has been registered. During the course of investigation the present applicant was arrested on 25.07.2024 and since, then he is in custody.

4. It is submitted by the counsel for the petitioner that the petitioner herein is innocent and is falsely implicated in this case. He submits that the FIR is lodged after five days of the alleged incident and lodging of the FIR delay has not been explained. He further submits that in the footage of CCTV also, the present applicant was not found. It is submitted by the counsel for the petitioner that the applicant is implicated in this case only on the basis of suspicion, TIP of the present applicant is also suspicious as in the FIR itself no description of the persons who entered the house is mentioned. Lastly, it is submitted by him that from the possession of the petitioner none of the looted cash or ornaments has been recovered. The charge-sheet has been submitted, trial will take some time. Therefore, it is prayed that on these grounds he may be granted benefit of bail.

5. Learned counsel appearing on behalf of respondent-State opposes the prayer of bail.

6. Considering the submission made by the counsels and further considering the materials available on record, I am of the view that in this case the present applicant should be granted the benefit of bail. Accordingly, the petition is allowed. The petitioner is directed to be released on bail in connection with Sohsarai P.S. Case No. 170 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties, to the like amount each to the satisfaction of the learned A.D.J.-II cum Special Judge, POCSO, Bihar Sharif, Nalanda.

(Arvind Singh Chandel , J)

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