

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8427 of 2025

Arising Out of PS. Case No.-680 Year-2024 Thana- GARKHA District- Saran

Deepak Kumar Son of Jairam Rai Resident of Village - Hewantpur, P.S. -
Dariyapur, District - Chapra (Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 8962 of 2025

Arising Out of PS. Case No.-680 Year-2024 Thana- GARKHA District- Saran

Praveen Kumar S/o Jai Prakash Rai R/o vill - Ramgarha, P.S.- Awtarnagar,
Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 9079 of 2025

Arising Out of PS. Case No.-680 Year-2024 Thana- GARKHA District- Saran

Guddu Kumar Son of Dhaneshwar Ray R/o Village - Hewantpur, P.S.-
Dariyapur, District - Chapra (Saran).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 8427 of 2025)
For the Petitioner/s : Mr. Nalin Kumar, Advocate
For the State : Mr. Binod Kumar No.3, APP
(In CRIMINAL MISCELLANEOUS No. 8962 of 2025)
For the Petitioner/s : Mr. Nalin Kumar, Advocate
For the State : Mr. Binod Kumar No.3, APP
(In CRIMINAL MISCELLANEOUS No. 9079 of 2025)
For the Petitioner/s : Mr. Nalin Kumar, Advocate
For the State : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH



ORAL ORDER

3 09-05-2025 As all these criminal miscellaneous petitions have arisen out of same P.S. Case, hence, they are being decided together by a common order.

2. Heard Mr. Nalin Kumar, learned counsel for the petitioners and Mr. Binod Kumar No. 3 learned APP for the State.

3. Petitioners seek regular bail in connection with Garkha P.S. Case No. 680 of 2024 dated 25.10.2024 registered for the offence punishable under Section 310(2) of the Bharatiya Nyaya Sanhita, 2023 (in short 'B.N.S.')

4. The main submissions advanced by petitioners' counsel are that the instant matter relates to dacoity of Rs. 2,75,000/- committed with the in-charge of Customer Service Provider and the same is alleged to have taken place in daytime at 2:47 P.M. and it is not the case of the prosecution that the accused persons had their faces covered at the time of commission of the alleged occurrence, despite this fact, the petitioners were not put on test identification parade after being taken into custody. The only material against the petitioners is the confessional statement of the co-accused, Hirdya Nat, given before the police and the petitioners have been made accused merely on the basis of the said confessional statement and



further, the co-accused namely, Hirdya Nat has been granted bail by the co-ordinate Bench of this Court vide order dated 08.05.2025 passed in Cr. Misc. No. 7500 of 2025. It is further submitted that all the petitioners have been languishing in jail since 23.11.2024, out of them, two petitioners have fair and clean antecedent and one petitioner namely, Guddu Kumar has criminal antecedent of only one case and against them, the investigation has been completed and after they were taken into custody, the investigating officer failed to recover any incriminating material or any part of the looted money from their possession.

5. Though learned APP has opposed the prayer for bail of the petitioners but he fairly accepted that against the petitioners, there is no material evidence except the confessional statement of the co-accused Hirdya Nat.

6. Having considered the aforesaid submissions and mainly the facts that in respect of the petitioners' involvement in the alleged crime, the prosecution is mainly relying upon the confessional statement of the co-accused, Hirdya Nat, coupled with the petitioners' custody period and the completion of investigation against them, this Court is inclined to release them on bail. Accordingly, let the petitioners named-above be



enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees
Twenty Thousand) each with two sureties of the like amount
each to the satisfaction of the concerned Court in connection
with Garkha P.S. Case No. 680 of 2024.

(Shailendra Singh, J)

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