

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17162 of 2025

Arising Out of PS. Case No.-235 Year-2024 Thana- PARSABAZAR District- Patna

1. Gorakh Nut @ Gorakh Nat S/O Late Maina Nat R/O Bari Badalpura under khagaul over bridge, P.S.- Khagaul, Dist.- Patna
2. Firoj Nut @ Firoj Nat S/O Late Raju Nat R/O Bari Badalpura Joratalab, P.S.- Khagaul, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioners and learned APP for the State. Perused the case diary called for in Cr. Misc. No. 7488 of 2025.

2. The petitioners seek bail in connection with Parsa Bazar P.S. Case No. 235 of 2024 instituted for the offence under Section 395 of the Indian Penal Code.

3. Informant reported that on the night of 03.05.2024, 8–10 armed miscreants broke into her house, looted cash and jewellery, and threatened her family.

4. It has been submitted on behalf of the petitioners that the petitioner No.1 is in custody since 08-07-2024, whereas petitioner No.2 is in custody since 13-09-2024. Petitioners bear



one criminal antecedent each, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Petitioners are not named in the FIR. Name of the petitioner No.1 has transpired on the basis of confessional statement of co-accused, namely, Firoz Nut (petitioner No.2). Nothing incriminating has been recovered from the possession of the petitioners. Petitioners were not put on T.I. Parade. It is contended that recovery is made from the possession of co-accused, namely, Biran Nut. Learned counsel for the petitioners submits that police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. It is contended that petitioners have confessed their guilt. They do not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Parsa Bazar P.S. Case No. 235 of 2024, subject to the following conditions:

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

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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