

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11974 of 2025

Arising Out of PS. Case No.-592 Year-2024 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Lakshimi Sah @ Laxmi Sah Son of Jagarnath Sah Resident of Village- Sahila
Rampur, P.S.- Hathauri, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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

ORAL ORDER

3 08-04-2025 Heard learned counsel for the petitioner and learned

APP for the State. Perused the case diary called for in Cr.

Misc. No. 1246 of 2025.

2. The petitioner seeks bail in connection with Town

P.S. Case No. 592 of 2024 instituted for the offences under

Sections 303(2), 317(2), 317(5), 111, 338, 336(3), 313,

61(2) of the B.N.S.

3. As per prosecution case, the accusation against

the accused persons including the petitioner is of committing

theft of motorcycle and, thereafter, selling the same to other

accused persons.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The name of the petitioner has transpired in this case on the basis of the confessional statement of the arrested co-accused Pintu Sah and Dhananjay Sah @ Manjay Sah recorded before the police which has no evidentiary value in the eye of law. Except confessional statement of the co-accused, there is nothing adverse against the petitioner. The petitioner has no concern with the alleged occurrence or with the gang involved in the theft. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The recovery has been made at the instance of the co-accused Pintu Sah and Dhananjay Sah @ Manjay Sah. The petitioner has three criminal antecedents and, in all of them, he is on bail and is languishing in judicial custody since 27.09.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.



The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 303(2), 317(2), 317(5), 111, 338, 336(3), 313, 61(2) of the B.N.S. The petitioner has three criminal antecedents and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail 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 Town P.S. Case No. 592 of 2024.

(Rudra Prakash Mishra, J)

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