

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15232 of 2025

Arising Out of PS. Case No.-204 Year-2024 Thana- BHAGALPUR GRP CASE District-
Bhagalpur

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Madan Lal Sah @ Madan Sah, aged about 70 years, Gender- Male, Son of
Late Haldhar Sah @ Chunchun Sah, Resident of Village- Baijnathpur, P.S.-
Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 23-07-2025 Heard Mr. Diwakar Upadhyaya, learned counsel

appearing on behalf of the petitioner and Mr. Kalyan Shankar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bhagalpur G.R.P.S. Case No. 204 of 2024, registered for
the offence punishable under Sections 303(2), 317(2), 317(5),
317(4) and 61(2) of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. As per the allegation made in the FIR, golden
jewellery of the informant was stolen in an organized manner.
Petitioner is Goldsmith.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Petitioner is aged about 70



years and he has no concern with the alleged offence. Son of the petitioner has been made accused, who has been released on regular bail by the learned District Court. No stolen articles were recovered from the shop of the petitioner. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the allegation made in the FIR and in course of investigation, minuscule evidence has been gathered against the petitioner. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, 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 A.C.J.M., cum Railway Magistrate, Bhagalpur or successor court, in connection with Bhagalpur G.R.P.S. Case No. 204 of 2024,



subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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