

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16145 of 2025

Arising Out of PS. Case No.-957 Year-2023 Thana- BIHAR District- Nalanda

Gautam Kumar Son of Awadhesh Mahto Resident of Village - Belthan, Police
Station - Bakhtiyarpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 21-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Bihar
P.S. Case No. 957/2023 registered for the offences under
Section 395 of I.P.C.

3. As per the prosecution case, 10-12 accused persons
including the petitioner have committed dacoity in the
informant's house and looted gold jewelry, cash and several
other essentials.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Learned counsel further submits that FIR was lodged
against unknown persons and the petitioner's name has surfaced
in the confessional statement of one co-accused Ankesh Kumar



@ Micheal. Learned counsel further submits that no incriminating article has been recovered from the conscious possession of the petitioner and till date no T.I.P. has been done. Learned counsel further submits that similarly situated co-accused namely Shakti Singh, Balakant Singh and Rohit Kumar Singh have been granted bail by coordinate benches of this Court vide orders dated 19.04.2025, 08.05.2025 and 05.05.2025 passed in Cr. Misc. Nos. 6544/2025, 7539/2025 and 26021/2025 respectively. It is lastly submitted that the petitioner has three criminal antecedents and is languishing in custody since 29.08.2024.

5. Learned counsel for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account that no incriminating article has been recovered from the conscious possession of the petitioner and also the fact that similarly situated co-accused namely Shakti Singh, Balakant Singh and Rohit Kumar Singh have been granted bail by coordinate benches of this Court vide orders dated 19.04.2025, 08.05.2025 and 05.05.2025 passed in Cr. Misc. Nos. 6544/2025, 7539/2025 and 26021/2025 respectively, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda(Biharsharif) in connection with Bihar P.S. Case No. 957/2023 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. The petitioner shall not approach the informant or any of the family members or the victim girl to either coerce or threaten during the pendency of the trial.
- d. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- e. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the afore-
mentioned order shall not be delayed for
purpose of or in the name of verification.

(Sourendra Pandey, J)

tusharika/-

U		T	
---	--	---	--

