

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16199 of 2025

Arising Out of PS. Case No.-327 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Tullu Kumar @ Tulo, Son of Banarsi Sahni, Resident of Village- Lallu Pokhar
Kali Asthan Ward No. 31, P.S.- Kasimbazar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No. 1, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Dalsinghsarai P.S. Case No. 327 of 2023, registered for the alleged offences under Sections 457, 380, 411/34 of the Indian Penal Code.

3. As per prosecution case, a theft was committed in the dwelling house of the informant and the thieves took away a box containing Rs.18,000/-. The name of the petitioner transpired during investigation for being involved in the theft.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has been



made accused in this case on the basis of confessional statement of co-accused Vikas Kumar. The petitioner was apprehended on suspicion in Dalsinghsarai P.S. Case No. 329/2023 and he was remanded in this case on 04.10.2023. Thereafter, the petitioner has been named in altogether 18 cases. The learned counsel further submits that similarly placed co-accused persons namely, Uttam Kumar and Rinku Kumari, having same type of antecedent, have been granted bail by the learned court below itself and they were also apprehended in Dalsinghsarai P.S. Case No. 329 of 2023. The learned counsel further submits that the petitioner is in custody for more than one year in the present case. The charge sheet has been submitted.

5. The learned A.P.P. opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner appears to be habitual offender.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, the petitioner is directed to 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 learned Judicial Magistrate 1st Class, Dalsinghsarai, Samastipur, in connection



with Dalsinghsarai P.S. Case No. 327 of 2023, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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