

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16804 of 2025

Arising Out of PS. Case No.-240 Year-2024 Thana- JAMUI District- Jamui

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Shailesh Kumar @ Shilesh Kumar @ Shailesh Kumar Yadav, aged about 21 years (Male), S/o- Shambhu Yadav, R/O Village- Dhandh, P.S.- Jamui, Dist- Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Prasad, Advocate

For the Opposite Party : Mr. Choubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Jamui P.S. Case No. 240 of 2024 dated 26.04.2024 registered for the offence punishable under Section 395 of the I.P.C.

3. As per the prosecution case, eight unknown miscreants are alleged to have snatched motorcycle, mobile phone and Rs. 4,000/- from the informant and Kuso Singh after assaulting them with lathi and danda.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has surfaced in the present case only on the



basis of the confessional statement of the co-accused Niraj Kumar and the co-accused Niraj Kumar has already been granted bail by a Bench of this Court vide Cr. Misc. No. 63405 of 2024 under order dated 01.10.2024 and the other co-accused Mukesh Kumar has also been granted bail by a Bench of this Court vide Cr. Misc. No. 66690 of 2024 under order dated 05.10.2024, annexed as Annexure-P/3 series to the present bail petition. It is further submitted that the matter has already been compromised between the parties and a petition to that effect has also been filed before the learned court below. No incriminating article has been recovered from his possession. It is further submitted that the occurrence took place on 26.04.2024 and the said motorcycle was recovered on 01.05.2024 from the *Bathan* nearby abandoned place which is not of the petitioner. There is no statutory compliance of Section 100(3) of Cr.P.C.. He has no concern with the alleged offence. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 15.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and has stated that the recovery has been made from the possession of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 240 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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