

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22724 of 2025

Arising Out of PS. Case No.-121 Year-2024 Thana- KHAJAULI District- Madhubani

Santosh Thakur S/O Mahendra Thakur R/O Village- Datuar, P.S.- Khajauli,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mra. Sangeeta Sharma, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-05-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Khajauli P.S. Case No. 121 of 2024 lodged on 12.06.2024, for the offence punishable under Section 379 of the Indian Penal Code and later on, section 411 of the IPC has been added.

3. As per the prosecution, FIR has been lodged against unknown persons against whom there is an allegation that they have stolen the mobile as well as motorcycle of the informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the petitioner's



possession nor he was put on TIP and his name has figured in this case only by virtue of the confessional statement of co-accused. Counsel also submits that petitioner is not named in the FIR. Counsel submits that as per paragraph no.29 of the case diary, co-accused Suresh Yadav has accepted the wrong done by him before the police and he also disclosed the petitioner's name in this matter. Counsel further submits that the criminal antecedent of the petitioner is not clean as there is one case pending against him in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean as there is one case pending against him which is of Excise Act. Counsel further submits that the offence in which the case has been lodged is of magisterial triable.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge XII, Madhubani, in connection with Khajauli



P.S. Case No. 121 of 2024, subject to the conditions as laid
down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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