

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27663 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- KHUTAUNA District- Madhubani

Anirudh Das @ Anirudh Kumar Das S/o Jhameli Das R/o Village- Laukahi,
Purani Bazar, P.S.- Laukahi, District- Madhubani (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Adv
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 18-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Khutauna
P.S. Case No. 119 of 2024 registered for the offences under
Sections 303(2) of the Bharatiya Nyaya Sanhita.

3. The petitioner is not named in the F.I.R. and is in
custody since 02.09.2024.

4. As per FIR unknown person committed theft, where
motorcycle of the informant bearing reg. no. BR 32 R 4611 was
stolen.

5. Learned counsel appearing on behalf of the petitioner
submitted that name of petitioner transpired in the present case on
the basis of confessional statement of Fulbabu Das, in furtherance



of which nothing incriminating recovered/surfaced, as to connect him with the present occurrence of theft. It is pointed out that one of the reason behind implication of petitioner with the present case is his criminal antecedents as he found involved in 8 more cases and in most of the cases his name appears on the basis of confessional statement of co-accused having otherwise no evidentiary value under law. It is submitted that merely on the ground of criminal antecedents prayer of bail of petitioner should not ordinarily be rejected, if merit of this case appears in favour of petitioner. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari Vs. State of Uttar Pradesh and Another, [(2020) 11 SCC 648]**. While concluding the argument it is submitted that investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as prima-facie save and except suspicion arising out of confessional statement of co-accused nothing incriminating appears against this petitioner, coupled with the fact as petitioner remains in custody since 02.09.2024, accordingly above named



petitioner, is directed to be released on bail in connection with Khutauna P.S. Case No. 119 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Jhanjharpur/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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