

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20106 of 2025

Arising Out of PS. Case No.-398 Year-2024 Thana- BALIYA District- Begusarai

=====

Golu Kumar, (Male), aged about 28 years, Son of Nand Kishor Singh,
Resident of village - Miralipur, P.S.- Ballia, District - Begusarai.

... .. Petitioner

Versus

1. The State of Bihar.
2. Rahul Kumar, Son of Sitaram Sah, R/O-Sarmaspur, Ward No. 05, PS- Kanti,
Dist-Muzaffarpur.

... .. Opposite Parties

=====

Appearance :
For the Petitioner : Mr. Rajesh Ranjan, Advocate
For the opposite party no. 2: M/S. Shiva Shankar Sharma and Arun Kumar
Sinha, Advocates
For the State : Mr. Rajendra Prasad Nat, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 13-11-2025 Heard learned counsel for the petitioner, learned

counsel for the opposite party no. 2 and learned A.P.P for the

State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Ballia P.S. Case No.
398/2024 dated 20.12.2024 registered for the offences
punishable under Sections 318(4), 303(2), 115(2), 308(5) read
with Section 3(5) of the B.N.S.

3. As per the prosecution case, the informant, who is



working as a Senior Business Development Executive in SBI Life Insurance Company in Simdega, Jharkhand. In that course, the co-accused Amit Kumar gave offer to the informant for a job in TATA AIG Life Insurance at Patna Branch on higher salary. Then the informant reached at Begusarai Railway Station on 14.12.2024 from where the co-accused Amit Kumar picked up the informant and took him near Bariyarpur where six co-accused persons were also there. On the instruction of the co-accused Amit Kumar, Golu Kumar (petitioner) pointed pistol on the informant and then the informant on fear gave his Mobile, Credit Card and Debit Card to Golu Kumar (petitioner). The co-accused Amit Kumar forcibly got the mobile password from the informant and transferred money from the mobile of the informant. The co-accused Gobind Kumar also pointed pistol on the informant and got the ATM password and after that the co-accused Govind Kumar, Harsh and Amit went to Lakhminia for withdrawing money from the ATM whereas the co-accused persons stayed with the informant and the co-accused Aman Kumar snatched the watch from the informant. The co-accused persons, Harsh and Amit came from Lakhmania and told to kill the informant as they had withdrawn the money. Thereafter, the informant started screaming then the accused persons left him



and threatened him not to disclose the matter to anyone or they would kill the whole family of the informant. Further the informant states that the accused persons between 14.12.2024 to 16.12.2024 have withdrawn Rs.6,73,000/- from the account of the informant as a loan.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is allegation against the petitioner that he pointed his weapon on the informant and took his mobile, credit card and debit card but the real fact is that the informant is not known to the petitioner at all and the petitioner has no concern with the informant whatsoever. It is submitted that the alleged occurrence took place on 14.12.2024 at about 1.00 P.M. and the F.I.R. has been lodged on 20.12.2024 at 12.30 P.M. and there is delay of six days in lodging the F.I.R., and no explanation for such delay has been given by the prosecution. No money or stolen material belonging to the informant was recovered from the conscious possession of the petitioner. There is no eye witness to the alleged offence. It is further submitted that no money was transferred in the bank account of the petitioner from the bank account of the informant. It is further submitted that the petitioner has not been put on T.I. Parade till date. It is



further submitted that the other co-accused person, namely, Nitish Kumar, has already been granted regular bail by a Bench of this Court in Cr. Misc. No. 29331 of 2025 vide order dated 07.05.2025 and the other co-accused person, namely, Aman Kumar @ Aman has also been granted anticipatory bail by a Bench of this Court in Cr. Misc. No. 45442 of 2025 vide order dated 29.08.2025. There is no specific allegation against the petitioner. The petitioner has four criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 21.12.2024.

5. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 have vehemently opposed the bail petition 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 C.J.M. Begusarai in connection with Ballia P.S. Case No. 398/2024 with further conditions:-

(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.

II. If the petitioner is found involved in
similar nature of offence in future, his bail
bond is liable to be cancelled.

7. The application stands allowed.

1U.K./-

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

(Chandra Prakash Singh, J)

