

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20749 of 2025

Arising Out of PS. Case No.-947 Year-2024 Thana- GAYA MUFASIL District- Gaya

Santosh Kumar @ Jauli Son of Rambrich Yadav Resident of Mohalla-
Narayan Nagar, P.S.- Muffasil, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 947 of 2024 instituted for the offence
under Sections 190, 191(2), 191(3), 109, 303(2), 317(2), 317(4),
317(5), 111, 125, 132, 121(1), 121(2) of the Bharatiya Nyaya
Sanhita, 2023 and Section 27 of the Arms Act.

3. As per production case, police got information that
some persons are extracting sand illegally from the Falgu river
thereafter, police raided and apprehended the accused persons.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 28-12-2024. Petitioner
bears six criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has surfaced in this case on the discloser made by the apprehended accused persons. Petitioner has no concern with the alleged recovered sand. There is no independent witness to the occurrence. There is general and omnibus allegation against the petitioner. There is no injury on record as no one sustained injury. Other co-accused have been granted regular bail by this Court vide orders dated 19-04-2025, passed in Cr. Misc. Nos. 7055 of 2025, Cr. Misc. No. 7351 of 2025, Cr. Misc. No. 8585 of 2025 & Cr. Misc. No. 10413 of 2025, respectively.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no specific allegation against the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 947 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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