

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23336 of 2025

Arising Out of PS. Case No.-170 Year-2024 Thana- SOHSARAI District- Nalanda

Gautam Kumar Son of Awadhesh Mahto R/O Village- Belthan, P.S.-
Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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

ORAL ORDER

3 29-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with S. Tr.
No. 897 of 2024 arising out of Sohsarai P.S. Case No. 170 of
2024 instituted for the offence under Sections 310(2), 317(3),
317(5) of the Indian Penal Code (for short ‘IPC’).

3. The informant reported that on the night of
10.07.2024, 6–7 armed miscreants forcibly entered his house,
tied up the family, and looted Rs. 15 lakhs in cash, gold
ornaments worth Rs. 30–32 lakhs, and important documents.
They fled away after threatening the victims with death if police
were informed. CCTV footage later revealed 9–10 miscreants
fleeing, and the FIR was delayed due to fear.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 25-07-2024. Petitioner bears three 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. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of self-confessional statement recorded in connection with Sohsarai PS Case No. 175 of 2024. There is delay of five days in lodging the FIR. Nothing has been recovered from possession of the petitioner. Charge sheet is submitted in this case. Bail of similarly situated co-accused person has been enlarged on bail by this Court vide order dated 13-05-2025, passed in Cr. Misc. No. 14712 of 2025.

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, claim based on parity and charge-sheet being submitted, 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 S. Tr. No. 897 of 2024 arising out of Sohsarai P.S. Case No. 170 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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