

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25342 of 2025

Arising Out of PS. Case No.-527 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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Bhushan Kumar, S/o Harendra Rai R/o Village- Sihuliya, P.S.- Muffasil,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 05-05-2025 1. Heard Mr. Abhishek Kumar, learned counsel for
the petitioner and Mr. Pranav Kumar, learned APP for the State.
2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 527 of 2021 dated 27.09.2021 registered
for the offence punishable under Section 392 of the Indian Penal
Code.
3. The main submissions advanced by the petitioner's
counsel are that it is second attempt of the petitioner to get relief
of bail and his first prayer was rejected by then co-ordinate
Bench of this court vide order dated 05.03.2025 passed in Cr.
Misc. No. 11647 of 2025 and the petitioner was given a liberty
to renew his prayer after framing of charge upon him and in the
light of the said liberty, he has renewed his prayer, the petitioner



has been languishing in jail since 03.12.2024 and one similarly situated co-accused namely, Sanjay Rai @ Sanjay Yadava has been granted bail by the co-ordinate bench of this court vide order dated 07.03.2025 passed in Cr. Misc. No. 89158 of 2024. It is further submitted that after the petitioner was taken into custody in the present matter, no incriminating material connecting him to the alleged occurrence was recovered from his possession and in respect of petitioner's involvement in the alleged offence of loot, the prosecution is mainly relying upon the confessional statement of this petitioner and co-accused given before police, except this, there is no other material against him. It is further submitted that petitioner's trial has started and upon him the charges have been framed on 19.03.2025 and there is less possibility of completion of petitioner's trial in near future. It is lastly submitted that though during the investigation, the petitioner was allegedly apprehended with firearm and motorcycle which was suspected to be stolen but regarding that recoveries another P.S. Case bearing Muffasil P.S. Case No. 536 of 2021 was registered in which the petitioner has got bail.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.



5. In the facts and circumstances of this case as well as considering the aforesaid submissions and mainly the petitioner's custody period and also his the plea that in respect of petitioner's involvement in the alleged loot, the prosecution is mainly relying upon the confessional statement of this petitioner and co-accused given before the police, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Muffasil P.S. Case No. 527 of 2021 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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