

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24601 of 2025

Arising Out of PS. Case No.-129 Year-2024 Thana- MAHUA District- Vaishali

Munna Baitha, Son of Jaylal Baitha, Resident of village - Jalalpur, P.S.-
Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 720 of 2024, arising out of Mahua P.S. Case No. 129 of 2024, registered for the alleged offence under Section 395 of the Indian Penal Code.

3. As per prosecution case, *dacoity* was committed in the dwelling house of the informant and the *dacoits* took away a number of gold and silver ornaments, Rs.53,000/- in cash and a number of mobile phones. The name of the petitioner transpired during investigation for being involved in the *dacoity*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case on the basis of confessional statement of co-accused Pankaj



Kumar. Nothing incriminating has been recovered from the person/possession of the petitioner. The petitioner was not put to any Test Identification Parade. The petitioner is having antecedent of eleven cases and in one case, he has been acquitted and in other ten cases, he is on bail. The petitioner is in custody since 25.04.2024 and charge sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner appears to be habitual offender.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that no recovery has been shown from the person/possession of the petitioner and further considering the period of custody of the petitioner and submission of charge sheet, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XII, Vaishali at Hajipur, in connection with Sessions Trial No. 720 of 2024, arising out of Mahua P.S. Case No. 129 of 2024, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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