

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26456 of 2025

Arising Out of PS. Case No.-375 Year-2023 Thana- VIJAYEPUR District- Gopalganj

Mulayam Bhagat @ Mulayam Kumar Son of Bisalarma Bhagat @ Bikarma Bhagat Resident of village - Jagdish Bantariya, P.S.- Bharey, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Vijaipur P.S. Case No. 375 of 2023 instituted for the offences under Section 392 of the Indian Penal Code.

3. As per prosecution case, three bike-borne-miscreants having arms committed loot of Rs. 1,57,000/-, laptop and mobile of Abhishek Pandey from the Customer Care Centre. When the Informant reached there, all the miscreants fled away by brandishing arms.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



The petitioner is not named in the F.I.R. and his name has surfaced in course of investigation on the basis of the confessional statement of the co-accused Suraj Ram, who has identified the petitioner in the CCTV footage. The petitioner has been remanded in this case from Bhore P.S. Case No. 18 of 2024. Charge-sheet has been submitted against the petitioner in this case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. The police has not conducted Test Identification Parade of the petitioner till date. The petitioner has six criminal antecedents and is languishing in judicial custody since 20.12.2024 without any rhymes or reason. He further submits that the co-accused Manoj Ram has already been granted bail by a Co-ordinate Bench of this Court vide order dated 06.03.2025 passed in Cr. Misc. No. 11624 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail 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 Vijaipur P.S. Case No. 375 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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