

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26393 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- BANIAPUR District- Saran

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Prem Shankar Prasad Son of Yado Lal Sah Resident of village- Madhaurah
Khurd, P.S.- Madhaurah, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
	:	Mr. Kumar Rajdeep, Adv
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 29-05-2025 Heard learned Senior Counsel for the petitioner and
learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with
Baniyapur P.S. Case No. 73 of 2025 instituted for the offences
under Sections 331(4), 305(a) of the B.N.S. He has one criminal
antecedent.

3. The prosecution case is to the effect that the
informant has alleged that some unknown persons had
committed theft and looted away cash of Rs. 2,50,700/- and
some ornaments worth Rs. 35,00,000/-. Informant had also
suspected that one Umesh Dubey is involved in committing
theft.



4. It is submitted by learned senior counsel for the petitioner that the petitioner is innocent and he has been made an accused on the confessional statement of one co-accused Deep Ranjan, who was apprehended in the present case. Learned senior counsel further submits that the said co-accused Deep Ranjan was accused in another case i.e. Isuapur P.S. Case No. 42 of 2025, who had stated that he had handed over the stolen ornaments to one Prem Shakar Prasad (Petitioner), who happens to be a jeweller. Learned senior counsel submits that the petitioner was arrested in the said P.S. Case and was subsequently taken on remand in the present case. It is also submitted by learned Senior counsel that the petitioner was a jeweller and it has been alleged that he has procured the theft ornaments by co-accused person who had taken his name, however, no recovery has been made. Learned senior counsel for the petitioner next submits that the petitioner has already been granted bail by a co-ordinate Bench of this Court in the other case in which he was named by co-accused. It is lastly submitted that the petitioner is in custody since 12.03.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner was found to have purchased



the stolen ornaments.

6. Considering the aforesaid submissions of learned counsel and taking into account that no recovery has been made from the petitioner and he is in custody since 12.03.2025, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.-1st, Class Saran at Chapra or his successor, in connection with Baniyapur P.S. Case No. 73 of 2025, subject to the 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, if so required by the learned Trial Court.

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

(iv) And further condition that the court below shall verify the criminal antecedent



of the petitioner except one case and in case at any stage it is found that the petitioner has concealed his criminal antecedent except one case, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

(Sourendra Pandey, J)

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