

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34286 of 2025

Arising Out of PS. Case No.-346 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Maksudan Kumar S/O Chinilal Yadav Resident of village- Gangauli, PS-
Bibhutipur, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Gautam, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The present Criminal Miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “the BNSS”) for seeking regular bail in connection with Bibutipur P.S. Case No.346 of 2024 lodged on 11.10.2024 under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, the F.I.R. has been lodged against four unknown accused persons with allegation that four miscreants reached on two motorcycle and have assaulted the informant on gun point and snatched his motorcycle and other documents.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that petitioner’s name has figured in this case during



investigation. He further submits that other co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 07.05.2025 passed in Cr. Misc. No.28000 of 2025.

5. Learned Counsel further submits that petitioner is in custody since 14.11.2024 having one criminal antecedent. He further submits that charge-sheet has been submitted in this case.

6. Learned counsel for the State opposes the prayer for bail and submits that the case of petitioner is not as like that of co-accused person who has been granted bail. The bail has been granted to the co-accused person on the ground that no recovery has been shown against him whereas in the present case, the recovery of the looted motorcycle has been made from the possession of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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