

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33099 of 2025

Arising Out of PS. Case No.-209 Year-2021 Thana- BELDOUR District- Khagaria

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Mantu Kumar @ Mantu Kumar Yadav Son of Umesh Yadav @ Yogendra Yadav Resident of village - Khokhsi Shyam, P.S.- Gwalpara, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate.
For the State : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Beldour P.S. Case No.209 of 2021, registered for the offences punishable under Sections 392, 412 of the Indian Penal Code, Sections 25(1-b)a, 26, 35 of the Arms Act and Section 37(c) of the Bihar Prohibition and Excise Act.

3. As per allegation, Police got information that some miscreants are committing robbery in a village. On reaching the place of occurrence, the Villagers told the Police party that more than five persons were committing robbery by snatching ATM and Mobile phones etc. Out of them, four persons were already apprehended by the villagers and rest four were successful



in fleeing away. It is further alleged that from possession of the apprehended persons, illegal arms and mobiles without any documentary proof of ownership were recovered and all of them were in inebriated condition. Later on, the present petitioner has been arrested on 25.03.2025 and since then he has been languishing in jail.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is 30 year old and he is no way involved in the alleged offence. The whole case is based only on suspicion and confessional statement of co-accused which is not admissible as legal evidence. He also submits that similarly situated co-accused have been enlarged on regular bail as well as anticipatory bail by co-ordinate Benches of this Court vide orders dated 4.4.2022, 7.4.2022 11.04.2022 and 03.07.2023 passed in Cr. Misc. Nos.5441 of 2022, 7074 of 2022, 8376 of 2022 and 40261 of 2023 respectively.

5. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier



either for anticipatory bail or regular one.

7. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned court below in connection with Beldour P.S. Case No.209 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned



court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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