

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31540 of 2025**

Arising out of PS. Case No.-47 Year-2024 Thana- SINGHWARA District- Darbhanga

Md. Emran Khan @ Kalu S/o- Md. Najeer Khan @ Najeer Khan Village-Mo-
hammadpur, P.S.-Kamtaul, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 36678 of 2025

Arising out of PS. Case No.-47 Year-2024 Thana- SINGHWARA District- Darbhanga

Aman Kumar @ Aman Yadav S/o Late Matheran Yadav @ Dinesh Yadav R/o
Village- Kayamchak, P.S- Keoti, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 31540 of 2025)

For the Petitioner/s : Ms. Kanchan Jha, Advocate

For the Opposite Party/s: Ms. Shaheen Begum, APP

(In CRIMINAL MISCELLANEOUS No. 36678 of 2025)

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER**

3 07-07-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

2. The petitioners seek bail in a case instituted for the
offences under Section 379 of the Indian Penal Code. They
have eight criminal antecedents.

3. As per the prosecution case, the informant has al-
leged that he had parked his Bolero pick up van and in the
morning he found that the same was stolen and, hence, the FIR



was lodged against unknown.

4. It is submitted by learned counsel for the petitioners that the petitioners are not named in the FIR and they were arrested in another case and were taken on remand in the present case on the basis of their confession made in Kamtaul P.S. Case No. 66 of 2024. It is further submitted by learned counsel for the petitioners that no recovery has been made from their conscious physical possession although it has been stated that the Bolero pick up van was recovered from open space on their confessional statement. Learned counsel for the petitioners submits that the petitioners have eight criminal cases, however, they have been named in all after lodging of Kamtaul P.S. Case No. 66 of 2024. It is lastly submitted by learned counsel for the petitioners that the petitioners are in custody since 24.02.2025 and 27.02.2025 respectively.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners and has submitted that the Bolero pickup van has been recovered from an open space on the basis of their confessional statement as such they should not be released on bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that petitioners were not



named in the FIR and they are in custody since 24.02.2025 and 27.02.2025 respectively, the petitioners above named, are directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Darbhanga in connection with Singhwada P.S. Case No. 47 of 2024, subject to the the following conditions:-

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

(ii) The petitioners 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 petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take



step for cancellation of bail bond of the petitioners. 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. In view of the antecedents of the petitioners, the petitioners are directed to appear before the Superintendent of Police, Darbhanga within fifteen days of their release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioners will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioners before the court concerned.

(Sourendra Pandey, J)

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