

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31794 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

Sikandar Kumar S/o Manoj Yadav @ Manoj Kumar, R/o Vill.- Lala Bigha,
P.S.- Makhdumpur, Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 32406 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

Grijesh @ Buletan @ Grijesh Kumar, S/o Suryadev Prasad, R/o vill -
Thikraur, P.S.- Theta, Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34326 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

Kundan Prasad, S/O Late Kishore Prasad, Resident of village- Habalipur, PS-
Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34754 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

Shailesh Kumar @ Suggi, S/o Late Akhilesh Thakur, R/o Village- Nisarpura,
P.S.- Bhelwar (Bhelawar), Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35790 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- MAKHDUMPUR District- Jehanabad



Sonu Kumar S/o Avadhesh Yadav, R/o Village - Mahewa, P.S.- Makhdumpur,
District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 31794 of 2025)

For the Petitioner/s : Mr. Paras Nath, Adv.
Mr. Mukesh Kumar, Adv.

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP
(In CRIMINAL MISCELLANEOUS No. 32406 of 2025)

For the Petitioner/s : Mr. Birendra Kumar, Adv.
Mr. Rajiv Ranjan Singh, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP
(In CRIMINAL MISCELLANEOUS No. 34326 of 2025)

For the Petitioner/s : Mr. Anil Kumar Saxena, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 34754 of 2025)

For the Petitioner/s : Mr. Sameer Darshan, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

(In CRIMINAL MISCELLANEOUS No. 35790 of 2025)

For the Petitioner/s : Mr. Anand Kumar Ojha, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 14-08-2025 Heard Mr. Paras Nath, Mr. Birendra Kumar, Mr. Anil Kumar Saxena, Mr. Sameer Darshan and Mr. Anand Kumar Ojha, learned counsels appearing for the petitioners and Mr. Binod Kumar No. 3, Mr. Kumar Veerendra Narayan, Mr. Upendra Kumar, Mr. Md. Aslam Ansari and Mr. Choubey Jawahar, learned APPs appearing for the State.

2. Petitioners seek regular bail in connection with Makhdumpur P.S. Case No. 53 of 2025 dated 06.02.2025 registered for the offences punishable under sections 309(4) of the Bharatiya Nyaya Sanhita (in short ‘BNS’) and later, sections 310(2), (5), (6), 111(2)(b), 111(3), (5) of BNS and sections 25(1-



B)(a), 26 and 35 of the Arms Act, were added.

3. As per the prosecution story, on 06.02.2025 at around 8:15 a.m., the informant left the bank's Makhdumpur branch on his red Apache motorcycle for cash collection. After collecting cash from villages, he was returning to the branch at about 12:30 p.m., near Maheba canal bridge, three youths on a black Hero motorcycle overtook him and stopped him. Two of them got down, threatened him with a knife and snatched his shoulder bag containing Rs. 81,290/- in cash, a Bandhan Bank tablet, bank documents and a Murphy device. They also took his Vivo smartphone from his shirt pocket and his wallet containing Rs. 2000/-, SBI and PNB debit cards, Aadhaar and PAN card. It was later learned that the same accused had robbed ₹31,820/- from one, namely, Chandan Kumar of Chaitanya Micro Finance near Tarahua village. All the accused were about 20-22 years old, of average build, with short black hair and one of them was wearing a blue shirt.

4. Mr. Paras Nath, learned counsel appearing for the petitioner, namely Sikandar Kumar, submits that the instant matter relates to the offence of loot committed with an employee of Bandhan bank, who was working as a cash collecting agent during the alleged time of occurrence and the



petitioner has been made accused in this matter mainly on the basis of his own confessional statement, which has no evidentiary value and further, as per the prosecution, after he was taken into custody, on his disclosure, one country made pistol along with two live cartridges are said to have been recovered but the petitioner has been falsely roped in this recovery. It is further submitted that the petitioner has been languishing in jail since 16.02.2025, though against him there are criminal antecedents of three cases but he is on bail in all the said cases.

5. Mr. Birendra Kumar, learned counsel appearing for the petitioner, namely Grijesh @ Buletan @ Grijesh Kumar, submits that the name of this petitioner surfaced in the confessional statement of co-accused persons, namely, Sonu Kumar and Sikandar Kumar and he has been languishing in jail since 16.02.2025 and against him there is nothing to connect him to the alleged offence of loot except the confessional statement of co-accused persons, though against him there are criminal antecedents of five cases but he is on bail in all the said cases and the police failed to make any recovery of any part of the looted articles after he was taken into custody either upon his disclosure or any other manner.



6. Mr. Anil Kumar Saxena, learned counsel appearing for the petitioner, namely Kundan Prasad, submits that the name of this petitioner also came into light in the confessional statement of co-accused persons, Sonu Kumar and Sikandar Kumar and except this, there is nothing against him to connect him to the offence of alleged loot and he has been languishing in jail since 15.02.2025, though against him there are criminal antecedents of three cases but he is on bail in one case, the second case is pending, and in the third case, the petitioner has been granted the benefit of sections 35(3) to 35(6) of the BNSS and against him the investigation has been completed.

7. Mr. Sameer Darshan, learned counsel appearing for the petitioner, namely Shailesh Kumar @ Suggi, submits that the name of this petitioner also came into light in the confessional statement of co-accused Sonu Kumar and except this, there is nothing against him to connect him to the alleged offence of loot and he has been languishing in jail since 16.02.2025 and against him the investigation has been completed. It is further submitted that against this petitioner, there are criminal antecedents of three cases, out of which, he is on bail in two cases.

8. Mr. Anand Kumar Ojha, learned counsel appearing



for the petitioner, namely Sonu Kumar, submits that the name of this petitioner came into light during the investigation on the basis of an information provided by a spy as per the police, who revealed the name of this petitioner as well as four others being involved in the commission of the alleged loot and thereafter, as per prosecution, the police recorded his confessional statement, which has no evidentiary value and it has been alleged that upon his disclosure, the informant's Aadhaar Card was recovered, which is completely false and fabricated by the police. It is further submitted that against this petitioner there are criminal antecedents of two case, out of which, he is on bail in one case.

9. Though learned APPs appearing for the State have opposed the prayer of the petitioners but fairly accept that against all these petitioners, except the petitioners, namely Sonu Kumar and Sikandar Kumar, there is nothing against any of them and they also accept the completion of investigation against them. They further submit that upon the disclosure made by co-accused Sonu Kumar (petitioner), the informant's Aadhaar card, which was also looted along with other looted articles, was recovered and he has two criminal antecedents while upon the disclosure made by the petitioner Sikandar Kumar, one country made pistol along with two live cartridges were recovered and



he has criminal antecedents of three cases.

10. Considering the aforesaid submissions and mainly the facts that against the petitioners, namely, Kundan Prasad, Shailesh Kumar @ Suggi and Grijesh @ Buletan @ Grijesh Kumar, there is nothing except the confessional statement of co-accused Sonu Kumar as well as some of the co-accused upon which the prosecution is mainly relying in respect of their involvement in the alleged occurrence of loot and also coupled with completion of the investigation against them as well as their custody period, this Court is inclined to release them on bail. Accordingly, let the petitioners, namely, Kundan Prasad, Shailesh Kumar @ Suggi and Grijesh @ Buletan @ Grijesh Kumar, be released on bail on furnishing bail bonds of Rs.20,000/-(Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the court concerned in connection with Makhdumpur P.S. Case No. 53 of 2025.

11. So far as the petitioners, namely, Sonu Kumar and Sikandar Kumar are concerned, considering the recovery of the firearms upon the disclosure made by the petitioner Sikandar Kumar and the recovery of the informant's Aadhaar Card, which was also looted along with other looted articles, on the basis of



the disclosure made by the petitioner Sonu Kumar and also coupled with their criminal antecedents, this Court is not inclined to release them on bail. Accordingly, the prayer of the petitioners, namely Sonu Kumar and Sikandar Kumar, is rejected. However, both the petitioners may renew their bail prayer after six months if there is no significant progress in their trial.

(Shailendra Singh, J)

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