

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36446 of 2025

Arising Out of PS. Case No.-680 Year-2024 Thana- GARKHA District- Saran

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1. Pawan Nut S/o Panda Nut R/o Village- Ghoghwaliya, P.S.- Kopa, Dist.- Saran
 2. Pintu Nut @ Albela S/o Panda Nut R/o Village- Ghoghwaliya, P.S.- Kopa, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Adv.
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

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

2. The petitioners seek bail in connection with Garkha
P.S. Case No. 680 of 2024 instituted for the offences under
Section 310(2) of the Bhartiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that 4-5 miscreants
looted informant's cash amounting to Rs. 2,75,000/- on gun
point and one of the miscreants assaulted on his head by butt of
a gun due to which he sustained injuries.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.
Petitioners are not named in the F.I.R. The name of the
petitioners transpired in this case during investigation on the



basis of the confessional statement of the co-accused Hirdya Nut. Nothing incriminating has been recovered from the conscious/physical possession of the petitioners. The alleged looted motorcycle has been recovered from the possession of the co-accused Hirdya Nat who has been granted bail by this Court vide order dated 08.05.2025 passed in Cr. Misc. No. 7500 of 2025. Learned counsel further submitted that petitioners have got no concern with the motorcycle, in question. It has been submitted on behalf of the petitioners that the petitioners are in custody since 04.02.2025/11.02.2025. The petitioners have got seven criminal antecedents each and, in all of them, they are on bail. Learned counsel for the petitioners further submits that co-accused Bablu Nut has already been granted bail by a Coordinate Bench of this Court vide orders dated 09.05.2025 passed in Cr. Misc. No. 10330 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners, stating that both the petitioners bears seven criminal antecedents.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioners as also the prayer for bail being based on parity, this Court is inclined to grant bail to the petitioners.



7. Let the petitioners be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Garkha P.S. Case No. 680 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioners.

(ii) The petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(iii) If the petitioners tamper with the evidence or the witnesses of the case by intimidating/pressurizing the witnesses, during the investigation or trial, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Rudra Prakash Mishra, J)

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