

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36827 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- LAXMIPUR District- Jamui

Shibu Khairwar S/o Gyander Khairwar @ Gyandev khairwar R/o vill -
Gajbor Bigha, P.S.- Barun, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha, Advocate
		Mr. Shivam, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Laxmipur P.S. Case No. 52 of 2025, instituted for the offences punishable under Sections 331(4), 305(a) of the Bharatiya Nyaya Sanhita, 2023 and later on added Sections 317(2) and 317(4) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, theft has been committed in the house of the informant by some unknown miscreants while the informant and his family members were not present at his house.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement made by co-accused, namely, Bikki Kumar and the same has got no evidentiary value. It is further submitted that no looted article has been recovered from the possession of the petitioner. Only Rs. 7,500/- was recovered from the possession of the petitioner which belongs to him. The petitioner is in custody since 02.04.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Laxmipur P.S. Case
No. 52 of 2025.

Rajorshi/-

(Rudra Prakash Mishra, J)

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