

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41736 of 2025

Arising Out of PS. Case No.-50 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Tunna Sah, aged about 29 yeears, Male, son of Gauri sah, Resident of Village
-Mansurchak Ward no. 14 PS -Mansurchak District- Begusarai Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-07-2025 Heard Mr. Madhav Kumar,, learned counsel

appearing on behalf of the petitioner and Mr.Ajit Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bibhutipur P.S. Case No. 50 / 2023 registered for the
offence(s) punishable under Sections 356 and 379 of the Indian
Penal Code.

3. As per the allegation made in the FIR, which is
against unknown, allegedly three miscreants looted cash around
Rs.11,000/- and a mobile from the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Petitioner is not named in
the FIR and his name has surfaced in this case on the basis of



confessional statement of co-accused, namely, Mohd. Mubarak @ Dhanna and confessional statement made before police has no evidentiary value.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner and also the fact that name of the petitioner has surfaced in the present case on the basis of confessional statement of co-accused, namely, Mohd. Mubarak @ Dhanna and confessional statement made before police has no evidentiary value, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Rosera in connection with Bibhutipur P.S. Case No. 50 / 2023, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the



petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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