

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38383 of 2025**

Arising Out of PS. Case No.-414 Year-2024 Thana- BAHERA District- Darbhanga

Deepak Kumar Son of Binod Prasad R/o Village - Kishori Lal Chowk, P.S.-  
Town, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

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

3      06-08-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 305(a) and 331(4) of B.N.S., 2023.

3. As per the prosecution case, on 03.11.2024 at around 12 O'clock in the night, around 10 miscreants are said to have entered into the house of the informant and had looted away articles after breaking the lock, worth Rs. 30 lakh.

4. Learned counsel for the petitioner submits that petitioner is not named in the FIR and his name has surfaced in the confessional statement of one co-accused person, namely, Mangal Sah. It has been submitted that no incriminating article has been recovered from the conscious possession of the



petitioner and he was taken into remand in the present case by the police from another case being Bahera P.S. Case No. 499 of 2024. Learned counsel further submits that similarly situated co-accused person has already been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 07.07.2025, passed in Cr. Misc. No. 39135 of 2025. Learned counsel lastly submits that the petitioner has three criminal cases against his name and he is in custody since 25.01.2025 in the present case.

5. The learned A.P.P. has vehemently opposed the prayer for bail and has stated that petitioner has been made named in one of the accomplice of the said crime.

6. Considering the aforesaid submissions made by the parties and taking account that no recovery has been made from the conscious possession of the petitioner and similarly situated co-accused person has already been granted bail by a Co-ordinate Bench of this Hon'ble Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Bahera P.S. Case No. 414 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his



close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Sourendra Pandey, J)**

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