

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39034 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- NAUGACHIA District- Bhagalpur

Shyam Singh @ Kare Singh S/o Mahendra Singh, R/o Village- Simra, P.S.-
Naugachia, Dist.- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate
For the Opposite Party : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Naugachia P.S. Case No. 38 of 2025 dated 03.02.2025, registered for the offences punishable under Sections 317(5) and 317(4) of the BNS read with Section 3(5) of the BNS.

3. As per the prosecution case, Police received secret information about presence of petitioner and co-accused Mirtunjay Kumar @ Mithun, who had been accused in Naugachia P.S. Case No. 35 of 2025, at some identified place. The Police surrounded the place and apprehended the petitioner and co-accused. The petitioner disclosed that he was involved in committing theft at different places and from the rented premises of the petitioner recovery of a number of stolen articles



were made. No documents were produced for the seized articles.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. It is apparent from the FIR that petitioner was apprehended due to his previous criminal antecedent. The recovery shown from the room of the petitioner has been made from a room that is adjacent to the room of the petitioner. Petitioner has no concern with the so-called stolen articles. Moreover, no report of theft has been lodged for the articles recovered and seized by the Police. Learned counsel next submits that petitioner is having antecedent of one case in which he is on bail and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 03.02.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of chargesheet and petitioner's period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-I, Naugachia, Bhagalpur / concerned Court, in connection with **Naugachia P.S. Case No. 38 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date 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.

(Arun Kumar Jha, J)

Shahnawaz/-

U		T	
---	--	---	--

