

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40026 of 2025

Arising Out of PS. Case No.-332 Year-2024 Thana- SURYAGARHA District- Lakhisarai

Devanand Kumar S/o Arjun Lal Resident Of Village- Bethan, Ps-
Bakhtiyarpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shivani Mishra, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

2 01-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Surjgarha P.S. Case No. 332 of 2024, instituted for the offences
punishable under Sections 303(2), 318(4) and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, while the
informant was coming from Bangalore, he met with an
unknown person at Kiul and during course of his journey, the
unknown person alighted the informant from the vehicle and
fled away by taking his mobile phone, purse, ATM, etc. and
after some time Rs. 1,48,000/- was withdrawn from the ATM of
the informant through PhonePe.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this 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. During course of investigation name of the petitioner has transpired in this case. The petitioner is in custody since 18.02.2025 and has got five criminal antecedents.

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 *after framing of charge, if not already framed* 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 Surjgarha P.S. Case No. 332 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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