

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42805 of 2025

Arising Out of PS. Case No.-420 Year-2024 Thana- CHANDAUTI District- Gaya

Ishwari Das, S/O Late Kail Das, R/O Village- Ubharuli (Uprauli), P.S-
Taraiya, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-07-2025 Heard Mr. Arvind Kumar Singh, learned counsel for
the petitioner and Mr. Umanath Mishra, learned APP for the
State.

2. Petitioner seeks regular bail in connection with
Chandauti P.S. Case No. 420 of 2024 dated 05.11.2024
registered for the offences punishable under sections 309(6), 62,
317(5) and 3(5) of the Bharatiya Nyaya Sanhita and sections
25(1B)a, 26 and 35 of the Arms Act.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to loot committed by
four accused persons inside the office of CSP Branch and as per
the allegation, the accused persons looted informant's bag
containing Rs. 1,05,500/- (Rupees One Lakh Fifty Five
Hundred), his mobile phone after causing injuries to him and



the alleged occurrence was committed on gun-point, as per further allegation, this petitioner and two co-accused persons allegedly involved in the commission of loot, were apprehended by the police on chase and some part of the looted money as well as some firearms were recovered from the possession of the accused persons but it is not alleged that the seized materials were recovered from the specific possession of this petitioner. It is further submitted that the petitioner has fair and clean antecedent and has been languishing in jail since 06.11.2024 and against him the investigation has been completed and he has never remained involved in similar type of offence in the past and the material witnesses of the prosecution, who are to be examined in the trial of petitioner, are police officials, so, the release of the petitioner on bail at this stage will not affect the prosecution in any manner.

4. Learned APP for the State has opposed the prayer of the petitioner.

5. Heard both the sides and perused the FIR and the trial court's order. Though the instant matter relates to loot committed inside the CSP branch of the informant and the petitioner was allegedly apprehended with his two associates near the place of occurrence just after the commission of the



alleged loot, however, considering the petitioner’s custody period which is slightly more than eight months and further taking into account the petitioner’s fair and clean antecedent and coupled with the fact that the material witnesses of the prosecution, who are to be examined in petitioner’s trial, are police officials, so, the release of the petitioner on bail at this stage will not affect the prosecution, this Court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Chandauti P.S. Case No. 420 of 2024, further on the condition that the petitioner shall be released after framing of charges, if the charges have not been framed upon him till date.

(Shailendra Singh, J)

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