

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40972 of 2025

Arising Out of PS. Case No.-496 Year-2024 Thana- PUPRI District- Sitamarhi

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Mukesh Kumar @ Mukesh Kumar Singh, Male, aged about 48 years, S/o
Late Surendra Prasad Singh R/o Village- Gorrigamma, P.S.- Runnisaidpur,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-07-2025 Heard Mr. Pushpendra Kumar Singh learned counsel

 appearing on behalf of the petitioner and Mr.Jharkhandi

 Upadhyay, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Pupri P.S. Case No. 496 of 2024 registered for the
offence(s) punishable under Sections 309(4) and 311 of the
BNS.

3. As per the allegation made in the FIR, informant
who is the Branch Manager of a Finance Company has alleged
that the three accused persons came to him and took away
Rs.3,89,613/- along with two mobile phones. Informant has
further alleged that one Nitish Kumar, who was also his ex-staff
and was dismissed from service after having found consuming
alcohol with one Vikash Kumar, has hatched a conspiracy with



the accused persons, which resulted to arrest of co-accused Laxmeshwar Singh.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is not named in the FIR and name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Laxmeshwar Singh @ Lachchhu Singh and confessional statement made before police has no evidentiary value. No recovery of the looted amount has been recovered from the house of the petitioner and only on suspicion that petitioner used to talk with the member of the Finance Company, he has been roped in the present case.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, the allegation made in the FIR in which petitioner is not named and his name surfaced in this case on the basis of confessional statement of co-accused Laxmeshwar Singh @ Lachchhu Singh 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 Sub-Divisional Judicial Magistrate, Pupri at Sitmarhi in connection with Pupri P.S. Case No. 496 of 2024, 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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