

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42481 of 2025

Arising Out of PS. Case No.-95 Year-2023 Thana- CHIRAIYA District- East Champaran

Shailendra Kumar Son of Rampravesh Mahto village- Bijbani, ps- Jitwa
(Ghorasahan), Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Adv.

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-07-2025 Heard Mr. Sanjay Kumar Tiwari, learned counsel for
the petitioner and Mr. Binod Kumar No.3, learned APP for the
State.

2. Petitioner seeks regular bail in connection with
Chiraiya P.S. Case No. 95/ 2023 dated 02.03.2023 registered for
the offence(s) punishable under Section(s) 392 of the IPC.

3. The main submissions advanced by the petitioner's
counsel are that though the instant matter relates to the loot
committed with the informant in respect of a sum of Rs.
1,98,000/-, tablet, bio-metric machine and the informant's
mobile by three motorcycle borne miscreants but the FIR has
been registered against unknown and the name of this petitioner
has surfaced during the course of investigation in the
confessional statement of co-accused Sandeep Kumar, who



recorded his statement before the police which has got no evidentiary value and except this, there is no material against the petitioner to connect him in the commission of the alleged crime of loot. It is further submitted that the trial court has rejected the petitioner's prayer for bail mainly considering his criminal antecedents and confessional statement of the co-accused, Sandeep Kumar however one other co-accused, Tuntun Kumar, whose name has also surfaced in the confessional statement of co-accused, Sandeep Kumar has already been granted bail by the then co-ordinate bench of this court vide order dated 15.09.2023 passed in Cr. Misc. No. 62200 of 2023 and the petitioner's case stands on the same footing with the said co-accused. It is lastly submitted that petitioner has been languishing in jail since 18.05.2023 and trial of the petitioner has started and charges were framed against him six months back and thereafter there is no progress in his trial.

4. Though the learned APP for the state has opposed the bail prayer of the petitioner but fairly accepts that as per the trial court's order, except the criminal antecedents of this petitioner and confessional statement of co-accused, Sandeep Kumar there is no material against this petitioner.

5. Considering the aforesaid submissions advanced by



the petitioner’s counsel and mainly taking into account the petitioner’s custody period, his young age as well as stage of his case, this court is inclined to grant the relief of bail to the petitioner. Accordingly, let the petitioner named-above be released on bail in connection with Chiraiya P.S. Case No. 95/ 2023 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.

(Shailendra Singh, J)

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