

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46108 of 2025

Arising Out of PS. Case No.-319 Year-2025 Thana- SIKARPUR District- West Champaran

Nandu Kumar S/o Kishun Mahto @ Radha Kishun Mahto @ Radhakishun Mahato R/o Village- Maldahiya, Naya Tola, Ward No. 11, P.S.- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Shikarpur P.S. Case No. 319 of 2025 instituted for the offence under Sections 304, 317(2), 317(4) & 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The informant, a school teacher, reported that his mobile was snatched by two unknown bikers on 08.03.2025 at Dhum Nagar Chowk. Later, he discovered that Rs. 1,14,000/- was fraudulently withdrawn from his *PhonePe* account between 08.03.2025 and 10.03.2025.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21-03-2025. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Nasir Ansari. As per seizure list, mobile phone is allegedly recovered from the possession of the petitioner, but in this connection, it is submitted that the seizure list does not bear the petitioner's signature. Hence, there is no compliance of Section 103 of the BNSS, 2023. Nothing has been recovered from the possession of the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and manner of petitioner's implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shikarpur



P.S. Case No. 319 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

