

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42911 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- DIDARGANJ District- Patna

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Jitu Kumar @ Bagh Ram (M), aged about 22 years, son of Vidya Ram, R/o
Village- Fatehpur, P.S.- Didarganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Didarganj PS Case No.64 of 2025 dated 03.03.2025, instituted
under Sections 331(4), 305 of the *Bharatiya Nyaya Sanhita*,
2023.

3. The prosecution case, in short, is that on the alleged
date of occurrence when the informant returned to his house
from Mirzapur Ashram, he found the lock of the main gate
opened. Thereafter, he noticed that lock of the house was also
broken and household articles were scattered. It is further
alleged that rupees forty-five thousand cash several gold
ornaments were stolen by the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner has been made accused only on the basis of suspicion. There is no eye witness to the occurrence. Nothing has been recovered either from the conscious possession or from the house of the petitioner. Petitioner is a co-villager of the informant. Lastly, it is submitted that one criminal case is pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna City, in Didarganj PS Case No.64 of 2025, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023, and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court



below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail and (v) that the petitioner within two weeks from the date of his furnishing bail bonds in the Court below shall appear before the local SHO along with a copy of this order and thereafter shall appear every fortnightly before him to mark his attendance till framing of charge in the case.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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