

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46588 of 2025**

Arising Out of PS. Case No.-73 Year-2023 Thana- KHUTAUNA District- Madhubani

Krishna Kumar Sah @ Krishna Sah S/o- Vijay Kumar Sah @ Bijay Sahu @
Vijay Sah Village- Kallapatti, Barhi, Ps- Phulparas, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti, Adv

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 22-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Khutauna P.S Case No. 73 of 2023 registered for the offences
punishable under Sections 394 of the Indian Penal Code.

3. As per allegation in the FIR, miscreants assaulted
the informant by means of lathi danda and looted the computer,
laptop etc. and also Rs. 10,000/-.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that this is second bail application of the petitioner.
Earlier the bail application of the petitioner was rejected vide
order dated 18.01.2025 in Cr. Misc. No. 66591 of 2024 with the



observation that petitioner may renew his prayer for bail after completion of one year in custody. He further submits that petitioner is in custody since 20.06.2024 having clean antecedent. He further submits that one year has already been lapsed and petitioner has again renewed his prayer for bail. He further submits that other co-accused persons has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No. 75852 of 2023, 85133 of 2023, 59797 of 2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of report sent by the ACJM-II, Madhubani, it appears that charge sheet has been submitted under Section 395 and 412 of the IPC against the petitioner and Non Bailable Warrant has been issued against absent accused persons. Since section 395 IPC is exclusively triable by Learned Court os Sessions, hence record of petitioner (Krishna Kumar Sah) is separated. and it is for supply of police paper and commitment to the learned Court of Sessions on 29.07.2025.

7. On perusal of the FIR, Report sent by trial Court and impugned order dated 18.01.2025, it appears that no progress has been done in the case of the petitioner since one year has lapsed and considering that fact that other co-accused



persons has been granted bail by the co-ordinate Bench of this Court, let the above named 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 learned Additional Chief Judicial Magistrate-II, Jhanjharpur, Madhubani in connection with Khutauna P.S. Case No. 73 of 2023

(Ramesh Chand Malviya, J)

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