

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40410 of 2025

Arising Out of PS. Case No.-185 Year-2024 Thana- MEHANDIGANJ District- Patna

Rohit Kumar S/O Sidhnath Pandey Resident of Mohalla- Belwarganj, P.S.-
Alamganj, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 43787 of 2025

Arising Out of PS. Case No.-185 Year-2024 Thana- MEHANDIGANJ District- Patna

Md. Nasim @ Vilen Son of Md. Mojib Resident of - Bakariya Tola, Bari
Patan Devi, P.S.- Alamganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40410 of 2025)

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv

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

(In CRIMINAL MISCELLANEOUS No. 43787 of 2025)

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Adv

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 21-11-2025 **Cr. Misc. No. 40410 of 2025 & Cr. Misc. No.43787**
2025

Heard the parties.

2. The petitioners seeks bail in connection with
Mehandiganj P.S. Case No. 185 of 2024 registered for the
offences under Sections 309(4) and 310(2) of the Bharatiya
Nyaya Sanhita.

3. The petitioners are not named in the F.I.R. and are in



custody since 09.01.2025.

4. As per FIR, some unknown miscreants committed robbery in the house of informant and looted jewellery worth Rs. 1.5 lakhs.

5. Learned counsel appearing on behalf of the petitioners submitted that name of these petitioners transpired in the present case on the basis of confessional statement of co-accused Md. Chand @ Maya Bhai, in furtherance of which no incriminating material recovered/surfaced as to connect petitioners with the present crime in question. It is pointed out that said Md. Chand has already granted bail by learned Co-ordinate Bench of this Court through Cr. Misc. No. 36432 of 2025 dated 09.01.2025. It is pointed out that petitioners were not put on TIP as yet and police submitted charge-sheet without obtaining FSL report just to defeat the legal right of petitioners to get default bail in view of Section 167 of the Cr.P.C./Section 187 of the BNSS. While concluding the argument it is submitted that, petitioners are men of clean antecedent and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel for the informant, while opposing the prayer for bail submitted that



desired FSL report was called for by this Court, but he could not disputed the aforesaid factual aspect, which argued on the point of merit.

7. In view of aforesaid factual submission and by taking note of fact as save and except suspicion arising out of confessional statement of co-accused prima-facie nothing incriminating appears against these petitioners, coupled with the fact as both petitioners remains in custody since 09.01.2025, accordingly both above named petitioners, are directed to be released on bail in connection with Mehandiganj P.S. Case No. 185 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned JM 1st Class, Patna City, Patna/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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