

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50756 of 2025

Arising Out of PS. Case No.-249 Year-2023 Thana- BARAULI District- Gopalganj

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Somesh Datta Priyadarshi @ Sumesh Datta Priyadarshi S/o Paras Nath
Shastri @ Paras Nath Mishra R/o Village- Amarpura, Banjariya, P.S.-
Mohammadpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 25-07-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Barauli
P.S. Case No. 249 of 2023, instituted for the offences punishable
under Sections 457 and 380 of the Indian Penal Code.

3. The prosecution case, in short, is that theft has been
committed in the house of the informant at night by some
unknown persons and looted various jewellery items.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner also submits that the petitioner is not named in the



FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Rahul Kumar and the same has got no evidentiary value. It is also submitted that the petitioner was not present at the place of occurrence and neither any recovery of looted articles have been made from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 30.04.2024 and has got nine criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 20.03.2025 passed in Cr. Misc. No. 87556 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court



in connection with Barauli P.S. Case No. 249 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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