

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46299 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- MANSURCHAK District- Begusarai

Saurabh Kumar @ Saurabh Suman S/o Arbind Kumar Mahto @ Arvind Kumar Mahto R/o Village- Khoksa (Khokasa), Ward No 4, P.S.- Dalsinghsrarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 31-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Mansurchak P.S Case No. 31 of 2025 registered for the offences punishable under Sections 309(4), 311 of BNS.

3. As per allegation in the FIR, petitioner along with the other accused persons have assaulted the informant and taken away Tota (E-rikshaw) bearing Registration No. BR33RA2264 and his mobile phone bearing Mob. No. 6200324421.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner is not named in the FIR rather his name



has been figured from the confessional statement of the co-accused namely Kundan Kumar. The alleged stolen Toto (E-rickshaw) has not been recovered from the conscious possession of the petitioner rather it has been recovered from the house of one accused namely Dinesh Chaudhary. He further submits that no TIP has been conducted by the police officials. It is also submitted that petitioner is in judicial custody since 18.04.2025 having clean antecedent as mentioned in Paragraph No. 3 of the bail petition. He further submits that other accused persons has already been granted bail vide Cr. Misc. No. 44666 of 2025 and Cr. Misc. No.44096 of 2025.

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

6. On perusal of the FIR, impugned order dated 17.04.2025, it appears that nothing has been recovered from the possession of the petitioner rather five stolen Tota (E-rickshaw) along with the petitioner's E rickshaw has been recovered from the house of accused Dinesh Chaudhary who has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No. 44666 of 2025 and and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, 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 Judicial Magistrate-1st Class, Begusarai in connection with Mansurchak P.S Case No. 31 of 2025

(Ramesh Chand Malviya, J)

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