

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52624 of 2025

Arising Out of PS. Case No.-15 Year-2022 Thana- MEDNI CHAUKI District- Lakhisarai

Brajesh Kumar S/o- Siban Mahto, resident of Village- Shivkund PS-Dharhar
(Hemjapur OP), Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Mednichowki P.S. Case No. 15 of 2022 dated 01.02.2022 (Split up Case No. 15A of 2022) instituted for the offence punishable under Sections 457, 380, 411 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence, when the informant had gone to Patna, he received information that lock of his door is broken and the motorcycle bearing registration no. BR01AR5223 is missing. Some important documents were kept in the dicky of the motorcycle. It is further alleged that some unknown thieves have stolen a Nokia mobile and gold and silver jewellery worth to Rs. 1,25,000/-.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in this case during the course of investigation on the basis of confessional statement of co-accused Sudhir Kumar, who disclosed the name of the petitioner. Nothing has been recovered from the conscious possession of the petitioner rather the stolen Nokia mobile has been recovered from the possession of Sudhir Kumar, who has been granted bail by the lower court itself. Lastly, it has been submitted that the petitioner is in custody since 13.04.2025 having one criminal case against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let 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 J.M. 1st Class, Lakhisarai in connection with Mednichowki P.S. Case No. 15 of 2022 Split up Case No. 15A of 2022, subject to the following conditions:-



1. 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.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. 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.

4. 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.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till



the framing of charge in this case.

(Khatim Reza, J)

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