

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51242 of 2025

Arising Out of PS. Case No.-113 Year-2025 Thana- GOPALPUR District- Gopalganj

1. Vishal Kumar Ram Son of Om Prakash Ram Resident of village - Baniya Chhapar, P.S.- Gopalganj Town, District - Gopalganj.
2. Niraj Kumar Son of Nand Kishor Ram Resident of village - Sital Narahwa, P.S.- Gopalganj Town, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Gopalpur P.S. Case No. 113 of 2025 instituted for the offences under Section 309(2) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, three unknown persons on a Platina motorcycle stopped the Informant and, on the point of knife, snatched his ITEI Key-Pad mobile and Rs. 6500/- and fled from there.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the



present case. The petitioners are not named in the F.I.R. and their names have surfaced in this case in course of investigation on the basis of disclosures made by the spy. On the basis of the disclosures made by the spy, the police arrested the petitioner no.1 and recovered Rs. 850/- from his pocket but, it cannot be said that the same was looted property. The police has also recovered mobile and Rs. 1500/- from the possession of petitioner no.2. but, learned counsel for the petitioner states that the petitioner has no connection with the seized mobile at all. Thus, learned counsel for the petitioners submits that the petitioners have no connection with the alleged occurrence and the seized mobile. There is no eye-witness to the alleged occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioners have no criminal antecedent and are languishing in judicial custody since 04.05.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as



also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalpur P.S. Case No. 113 of 2025.

(Rudra Prakash Mishra, J)

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