

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51224 of 2025

Arising Out of PS. Case No.-96 Year-2024 Thana- RAMKRISHNANAGAR District- Patna

Gautam Kumar S/o Manoj Sahni @ Manoj Kumar @ Manoj Chaudhary R/o
Village- Sabalpur, P.S.- Nadi, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nityanand Kumar, Adv.
For the Opposite Party/s	:	Mr. Ahmad Ali, APP
For the Informant	:	Mr. Prabhakar Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 22-08-2025 Heard learned counsel for the petitioner, learned
A.P.P for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Ramkrishna Nagar PS Case No. 96 of 2024 dated 01-02-2024 instituted for the offence punishable under Sections 395 of the Indian Penal Code and Sections 25((1-B)a/26/35 of the Arms Act.

3. Allegation against the petitioner is that he along with co-accused persons committed dacoity in a pre-planned manner in the house of the informant in broad daylight.

4. This is second attempt for grant of regular bail application to the petitioner.

5. Earlier, *vide* order dated 25.09.2024 passed in



Criminal Miscellaneous No. 49111 of 2024, the petitioner's bail application was rejected and bail application of co-accused, namely, Manish Kumar was allowed *vide* same order dated 25.09.2024 passed in Criminal Miscellaneous No. 5023 of 2024.

6. *Vide* order dated 25.07.2025, a report about the present stage of trial was also called for from the concerned Court, which is on record. In the report, the learned District & Additional Sessions Judge-Ist, Patna has stated that the bail bond of co-accused, namely, Manish Kumar has been cancelled and non-bailable warrant has already been issued against him due to which charge could not be framed.

7. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is not named in the F.I.R. and only on the basis of confessional statement of co-accused Sonu Kumar, the petitioner has been made accused in this case. It is also submitted that no incriminating articles have been recovered either from the conscious possession of the petitioner or from his house. It is further submitted that till date no T.I.P. has been conducted. Lastly, it has been submitted that the petitioner is in custody since 05.02.2024, having two criminal cases against him and charge-sheet has been submitted in the



case.

8. Learned counsel for the informant and learned A.P.P for the State opposes the prayer for bail of the petitioner. Learned counsel for the informant submits that there is recovery of one motorcycle bearing Reg. No. BR01EU 2604 and Chassis No. ME1RG662BK0005359 and a country made pistol and two sharp edge knives from the possession of the petitioner and co-accused persons, namely, Sonu Kumar and Deepak Kumar.

9. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties coupled with the fact that there is no fresh ground mentioned in the instant bail application, I am not inclined to grant bail to the petitioner at this stage.

10. Accordingly, the prayer of the petitioner for grant of bail is **rejected**.

(Khatim Reza, J)

prabhat/-

U		T	
---	--	---	--

