

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51340 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- Jagdishpur District- West Champaran

Kamlesh Rai @ Kamlesh Yadav, Son of Gagandeo Rai, Resident of Village -
Bhorha, Ward No. 10, P.S. Bochaha, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 52606 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- Jagdishpur District- West Champaran

Dilip Kumar, Son of Shivji Sah, Resident of Kalambag Road, P.S. Kazi
Mohammadpur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 51340 of 2025)

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

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

(In CRIMINAL MISCELLANEOUS No. 52606 of 2025)

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

For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-08-2025 Since both the petitions arise out of Jagdishpur P.S.

Case No. 49 of 2025 and hence, they are taken up together and

are being disposed of by this common order.

2. Heard learned counsel for the petitioners and

learned APP for the State.



3. In the present case, the petitioners seek bail in connection with Jagdishpur P.S. Case No. 49 of 2025 registered for the alleged offences under Section 303(2) of B.N.S.

4. As per prosecution case, unknown thief took away the batteries used in mobile towers. The name of the petitioners transpired during investigation for being involved in the theft.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case and their name came up in this case in the confessional statement of co-accused, Golu Kumar. Nothing incriminating has been recovered from the person or possession of this petitioners and the recovery has been shown from apprehended co-accused Golu Kumar. Even from the confessional statement of Golu Kumar it appears stolen batteries were recovered from a truck but the petitioners have nothing to do with the truck and they have been roped in this case merely on suspicion. The petitioners in custody since 03.04.2025 and charge sheet has been submitted. The petitioner Kamlesh Rai is having criminal antecedent of two cases and he is on bail in one of the cases. The petitioner Dilip Kumar is having criminal antecedent of six cases and he is on bail in three such cases.



6. Learned APP opposes the submission made on behalf of the petitioners.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioners and further considering the period of custody of the petitioners and submission of charge sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, West Champaran, Bettiah/concerned Court in connection with Jagdishpur P.S. Case No. 49 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the



petitioners will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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