

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54280 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- Bankebazar District- Gaya

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Gautam Kumar @ Sipu S/O Late Laxmi Prasad R/O Mohalla- Ray Shital
Prasad Road, Gaya, P.S.- Kotwali, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Banke
Bazar P.S. Case No. 27 of 2025 instituted for the offence under
Sections 305 & 331(4) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution, in short, is that on 17-02-2025,
the informant closed his shop and went to his house. On 18-02-
2025, when the informant reached his shop, he found that the
shutter of his shop was open. It is further alleged that some
unknown miscreants have stolen 10 Kg silver and 50 grams gold
from his shop.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 27-05-2025. Petitioner



bears five criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Md. Razza @ Razzak. Nothing has been recovered from the conscious possession of the petitioner. Charge sheet has already been submitted in this case. Other co-accused has been granted bail by this Court vide order dated 11-08-2025, passed in Cr. Misc. No. 52459 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Banke Bazar P.S. Case No. 27 of 2025,



subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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