

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58723 of 2025

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

1. Golu Kumar S/o Raushan Sahani R/o Vill.- Shayampur Bhoja, P.S. - Kanti, Dist.- Muzaffarpur
2. Vikram Kumar S/o Chandeshwar Ram R/o Vill.- Shayampur Bhoja, P.S. - Kanti, Dist.- Muzaffarpur
3. Gaurav Kumar S/o Surendra Sahani R/o Vill.- Shayampur Bhoja, P.S. - Kanti, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 29-08-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Jagdishpur P.S. Case No. 49 of 2025, instituted for the offences punishable under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that unknown thief took away the batteries used in mobile towers.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered



from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners are not named in the FIR. Name of the petitioner nos. 2 and 3 have transpired in this case on the basis of self-confession made by petitioner no. 1 as he was arrested in Jagdishpur P.S. Case No. 48 of 2025 and the same has got no evidentiary value. It is further submitted that the looted article has not been recovered from the possession of the petitioners rather the same has been recovered from the possession of other co-accused person. The petitioners are in custody since 03.04.2025 and have got two criminal antecedents. Learned counsel for the petitioners further submits that other co-accused have been granted bail by this Court vide order dated 19.08.2025 passed in Cr. Misc. No. 54761 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let petitioner no. 1, namely, Golu Kumar, be released on bail *after framing of charge, if not already framed*



as well as petitioner nos. 2 and 3 be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jagdishpur P.S. Case No. 49 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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