

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56031 of 2025

Arising Out of PS. Case No.-149 Year-2025 Thana- BIKRAM District- Patna

1. Abhishek Rai S/o Bhisham Rai R/o Village- Basant Bangari, P.S.- Garkha, District- Chhapra (Saran), A/P Resident of Village- Rambandu Talab Near Nat Baba Mandir, P.S.- South Asansol, District- West Bardhman (W.B.)
2. Manish Rai S/o Supan Rai R/o Village- Jalal Basant Bangari, P.S.- Garkha, District- Chhapra (Saran), A/P Resident of Village- Rambandu Talab, P.S.- South Asansol, District- West Bardhman (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 12-08-2025 Heard learned counsel for the parties.

2. The petitioners seek bail in connection with Bikram P.S. Case No. 149 of 2025 registered for the offence punishable under Section 310(2) of the B.N.S.

3. Learned counsel for the petitioners submit that petitioners have no criminal antecedent.

4. The prosecution case in brief is that the informant's company was establishing a two MW Solar Power Project near a Canal near the Patna. On 09.04.2025 at about 11:50 P.M. around 20-25 miscreants arrived at the site, confined the two security guards, and stole transformer parts and other equipment worth Rs. 40 Lakhs. Names of the petitioners emerged based on



the confessional statement of co-accused Manish Kumar, the driver of a Pickup Vehicle bearing Regd. No. WB37E-1652 seen near the site. The stolen item were looted and transported to a scrap shop with other accused but no vehicle or stolen articles were recovered from the possession of the petitioners.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case simply on the basis of confessional statement of a co-accused which has no evidentiary value. He further submits that the petitioners are having no criminal antecedent but are languishing in custody since 30.04.2025 for an offence of section 310(2) of the B.N.S. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioners and therefore the petitioners deserve grant of bail.

6. On the other hand, learned APP appearing for the State vehemently opposes the prayer for regular bail of the petitioners.

7. It is a fact that the petitioners were not named as accused persons in the F.I.R. and their names have emerged based on the confessional statement of co-accused Manish Kumar, which has no evidentiary value. It is also a fact that no



stolen articles or any incriminating materials has been found from the conscious possession of the petitioners and that the petitioners have no criminal antecedent but are languishing in jail since 30.04.2025. It is also not in dispute that the charge-sheet against the petitioners have already been filed, thereby completing the investigation, under these circumstances, I am inclined to grant bail to the petitioners.

8. Let the petitioners above named, are directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bikram P.S. Case No. 149 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be his close relative.

(ii) The petitioners will remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason 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.

(iv) If the petitioners are found involved in similar



nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

Ranjeet/-

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

