

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62003 of 2025

Arising Out of PS. Case No.-87 Year-2017 Thana- MOKAMAH District- Patna

Rajeev Kumar, aged about 30 years, Male, Son of Mangal Singh @ Mangal Sharma, Resident of Village- Maranchi, Police Station- Maranchi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramadit, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh,

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 10-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mokama P.S. Case No. 87 of 2017 instituted for the offences punishable under Sections 395 and 397 of the Indian Penal Code.

3. As per the prosecution case, some unknown persons intercepted the informant and pulled him down from his vehicle and confined him in Scorpio after tying hands and covering his eyes.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to police mechanism and manoeuvring. He further submits that the petitioner is not



named in the FIR and has been made accused only on the basis of suspicion. He next submits that the name of the petitioner has been surfaced in this case during the course of investigation. He lastly submits that nothing incriminating or looted articles has been recovered either from his conscious possession or from the house of the petitioner. He again submits that the name of the petitioner has been surfaced in this case only on the basis of confessional statement of co-accused and the said co-accused has already been granted bail by a Co-ordinate Benches of this Court. Petitioner has clean antecedent as stated in para 3 of the petition is in custody since 25.06.2025.

5. Learned APP for the State opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned District and Additional Sessions Judge-IV, Barh, Patna dated 22.07.2025, it appears that petitioner is not named in the FIR and his name transpired in this case during the course of investigation. From perusal of the records, it appears that on the basis of fardbeyan of the informant namely Awdhesh Yadav, FIR has been registered under Sections 395 and 397 of the Indian Penal Code against unknown persons. During investigation the name of the petitioner has been surfaced from the confessional



statement of co-accused, who has been granted bail by a Co-ordinate Benches of this Court. Similarly situated Co-accused persons namely Polu Kahar @ Mithlesh Ram and Kundan Kumar have been granted bail by a co-ordinate Benches of this Court in Cr. Misc. No. 10183 of 2019 and 1583 of 2018 vide orders dated 20.02.2019 and 19.02.2018, respectively, so considering all these aspects of the case and submissions of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Mokama P.S. Case No. 87 of 2017.

(Ramesh Chand Malviya, J)

Anand Kr.

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

