

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62479 of 2025

Arising Out of PS. Case No.-746 Year-2024 Thana- BARH District- Patna

Upendra Kumar S/O Shibu Mahto R/O Village- Bichli Malahi, P.S- Barh,
Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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

ORAL ORDER

4 14-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 746 of 2024, instituted for the offences punishable
under Sections 331(4) and 305(a) of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case, in short, is that theft has been
committed in the house of the informant by some unknown
miscreants in his absence and has stolen household articles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Upendra Kumar and the same has got no evidentiary value. It is further submitted that no any stolen article has been recovered either from the house or from the possession of the petitioner. The petitioner is in custody since 01.02.2025 and has got six criminal antecedents.

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

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

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barh P.S. Case No. 746 of 2024, 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)

Alok Verma/-

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

