

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58876 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- MATIHANI District- Begusarai

Bipin Kumar @ Bipin Nishad S/o Ashok Mahto @ Ashok Nisad R/o vill -
Simariya Ghat Bind toli, P.S. - Chakiya, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 12-12-2025 Heard learned counsel for the petitioner and Mr.
Sanjay Kumar, learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 309(4) and 3(5) of the BNS, 2023 along with Section 27 of the Arms Act.

3. As per the prosecution case, four persons had entered the shop of the informant and looted some cash along with jewelry.

4. Learned counsel for the petitioner submits that the present FIR was lodged against four unknown persons and the name of the petitioner transpired subsequently during the course of investigation upon suspicion raised by the spy. It is further submitted that as a matter of fact there is neither any eye witness to the occurrence nor there is any recovery made from the



possession of this petitioner and the timing of the seizure list and the confessional statement of the petitioner would show that the confession of the petitioner was recorded after the seizure list was already made hence there is no question of any recovery being made from the maize filed upon any disclosure made by the petitioner. It is further submitted that the petitioner has been made accused in this case only on account of the fact that he has several criminal antecedents. The petitioner is in custody since 12.04.2025 and charge sheet has already been submitted on 31.05.2025 and no Test Identification Parade of either the petitioner or the articles has been conducted till date.

5. Learned APP for the State has opposed the application for bail on the ground that the petitioner has as many as 13 criminal cases against him, however, in response to the same, it is submitted that out of the 13 cases 11 cases have already resulted in an acquittal and the petitioner is on bail in the other two cases.

6. Taking into consideration the facts and circumstances and also considering the fact that the petitioner's name has surfaced only on the basis of suspicion and no TIP has been conducted to establish his complicity coupled with the fact that he he has been in custody since 12.04.2025 and



charge sheet has already been submitted, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal Session Judge, Begusarai in connection with Matihani P.S. Case No. 66 of 2025, subject to the following conditions:- (i) one of the bailors of the petitioner shall be his father (ii) the petitioner shall co-operate in the trial and would appear on each and every date and in case of non-appearance on two consecutive dates without sufficient cause, his bail bond shall stand cancelled.

(Soni Shrivastava, J)

Prakash/-

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