

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61550 of 2025

Arising Out of PS. Case No.-371 Year-2024 Thana- NOORSARAI District- Nalanda

Kaushal Kumar @ Gujjar, S/o Chalitar Yadav, R/o Village- Kakkariya, P.S.-
Noorsarai, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dharamnath Pd. Yadav, Advocate Mr.Ranvijay Singh, Advocate Mr. Jitendra Kumar, Advocate
For the Opposite Party/s :		Mrs.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Trial No. 221 of 2025, arising out of Noorsarai P.S. Case No. 371 of 2024, registered for the alleged offence under Section 309 (6) of BNS, 2023.

3. As per prosecution case, the informant was taken to secluded place by the two co-accused persons where the petitioner was present. The co-accused persons and the petitioner beat the informant and snatched his mobile phone, gold locket, charger, earbuds and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner has been named in this case merely on the basis of confessional statement of co-accused. Though recovery of a mobile phone was shown from this petitioner, but the same is not a looted mobile. There is no cogent material against the petitioner showing his involvement and no Test Identification Parade has been carried out to ascertain his identity. The petitioner is in custody since 23.08.2024 and charges have been framed. The petitioner is having antecedent of six cases.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the period of custody of the petitioner and framing of charge against the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Biharsharif, Nalanda/court concerned, in connection with Noorsarai P.S. Case No. 371 of 2024 (Trial No. 221/2025), subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.



- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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