

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60931 of 2025**

Arising Out of PS. Case No.-576 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Shivam Kumar @ Shivam Jha S/O Ram Naresh Jha Resident of Village-
Bajidpur, Gado Barathiya, Police Station- Dalsingsarai, District- Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 05-12-2025 Heard learned counsel appearing on behalf
of the petitioner and learned APP appearing on behalf
of the State.

2. The petitioner seeks bail in connection with
(Begusarai) Town P.S. Case No. 576 of 2024 registered
for the offences under Sections 310 (4), 310 (5), 310
(6), 111(2), 111(4) and 60 of the Bharatiya Nyaya
Sanhita & Sections 25(1-B)a and 26/35 of the Arms Act.

3. The petitioner is named in the F.I.R. and is
in custody since 21.04.2025.

4. The allegation against the petitioner is to
commit dacoity along with other co-accused persons
and while committing so looted gold jewellery, where
occurrence took place in one jewellery shop.

5. Learned counsel appearing on behalf of the
petitioner submitted that during the course of
investigation two persons were apprehended by the



police namely Chhote Kunwar & Shammi Kapoor, who self-confessed to be involved in the occurrence of dacoity and on the basis of their disclosure, name of this petitioner involved in the present occurrence. It is pointed out that no incriminating material was recovered/surfaced in furtherance of aforesaid disclosure as to connect petitioner prima-facie with present occurrence. It is also submitted that no TIP was conducted as yet. It is further submitted that several co-accused persons were granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 17677 of 2025, Cr. Misc. No. 22149 of 2025 & Cr. Misc. No. 22383 of 2025 respectively vide order dated 15.05.2025.

6. It is pointed out that one of the reason behind implication of petitioner with the present case is his criminal antecedents as he found involved in 8 more cases and in most of the cases his name appears on the basis of confessional statement of co-accused having otherwise no evidentiary value under law. It is submitted that merely on the ground of criminal antecedents prayer of bail of petitioner should not ordinarily be rejected, if merit of this case appears in favour of petitioner. In support of his submission



learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari Vs. State of Uttar Pradesh and Another, [(2020) 11 SCC 648]**. While concluding the argument it is submitted that investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

7. Learned APP appearing on behalf of the State, opposes the prayer for bail.

8. In view of aforesaid factual submission and by taking note of fact as save and except suspicion arising out of disclosure made by apprehended co-accused persons nothing incriminating appears against this petitioner as to connect petitioner prima-facie with the present occurrence of dacoity, coupled with the fact as petitioner remains in custody since 21.04.2025, accordingly above named petitioner, is directed to be released on bail in connection with (Begusarai) Town P.S. Case No. 576 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Begusarai/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.



S.Tripathi/-

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

(Chandra Shekhar Jha, J.)

