

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60663 of 2025

Arising Out of PS. Case No.-449 Year-2025 Thana- JAHANABAD District- Jehanabad

Biru Kumar son of Jitendra Kumar Village- Sarbahda Bazar PS -Khizarsarai
Distt -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 12-12-2025 Heard learned counsel for the petitioner and Mr.
Rabindra Kumar, learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 310(2) of B.N.S to which Section 317(3) of B.N.S was added subsequently.

3. The allegation in the first information report is that 16 criminals over powered the staff of the company and loaded the electric materials on two tractors and took it away.

4. Learned counsel for the petitioner submits that the first information report was lodged against unknown and the name of the petitioner transpired during the course of investigation on the basis of suspicion and subsequently his confession was also recorded by the police which has no evidentiary value. It is further submitted that the petitioner was



never put on test identification parade and in absence thereof the charge sheet was submitted and the petitioner is in custody since 08.06.2025.

5. Learned APP opposes the grant of bail on the ground that the materials collected during the course of investigation would show that the tractor loaded with electric material was recovered on the basis of confessional statement of the petitioner.

6. Taking into consideration the facts and circumstances and especially considering the fact that the recovery has been made on the disclosure made by the present petitioner and he also has two criminal antecedents, I am not inclined to grant bail at this stage however, the petitioner is at liberty to renew his prayer for bail after framing of charge.

(Soni Shrivastava, J)

Prakash/-

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