

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62759 of 2025**

Arising Out of PS. Case No.-346 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Raju Kumar S/O Pramod Mahto @ Pramod Kumar Mahto R/O Village-  
Damodarpur, P.S.- Bibhutipur, Distt.- Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Madhav Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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

ORAL ORDER

2      11-09-2025      Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with  
Bibhutipur P.S. Case No. 346 of 2024 instituted for the offence  
under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3.      The informant was intercepted on 10.10.2024 near  
Kishanpur Tabhka Polytechnic College by four unknown  
persons on motorcycles. They assaulted him with fists and the  
butt of a pistol, causing injuries, and robbed his motorcycle,  
mobile phone, documents, and Rs. 5,000/- cash. The incident  
was witnessed by his sister-in-law, namely, Sarita Devi.

4.      It has been submitted on behalf of the petitioner  
that the petitioner is in custody since 13-02-2025. Petitioner



bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Maksudan Kumar. Nothing has been recovered from the conscious possession of the petitioner. Motorcycle in question was recovered from the possession of co-accused, namely, Maksudan Kumar. Petitioner was not even put on T.I.P. Other co-accused has been granted bail by this Court vide order dated 07-05-2025, passed in Cr. Misc. No. 28000 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted in this case, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bibhutipur P.S. Case



No. 346 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)**

Raj Kishore/-

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