

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63619 of 2025

Arising Out of PS. Case No.-77 Year-2024 Thana- Manikpur District- Lakhisarai

Shyam Kumar S/o Dharo Mahto @ Dharmendra Mahto R/O- Devghra
Chandra Tola, P.S.- Medani Chauki, Distt-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd Singh, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP

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

ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Manikpur P.S. Case
No. 77 of 2024, instituted for the offences punishable under
Sections 309(4), 351(3) and 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case, in short, is that, four
unknown miscreants entered into the house of the informant
while she was sleeping and have taken away her mobile along
with jewellery articles.

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



the present case merely on the basis of his criminal antecedents. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Learned counsel for the petitioner submits that the co-accused Kishore Kumar and Sunil Kumar were arrested and confessed their guilt and they disclosed the name of Banti Kumar who disclosed the name of the present petitioner in relation to making payment of the amount of gold and, except this, there is nothing adverse against the petitioner. It is further submitted that no looted articles have been recovered from the possession of the petitioner and no T.I. parade has been conducted in this case. The petitioner has been remanded in this case on 19.11.2024 and, since then, he is in custody and has got four criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 21.10.2024 passed in Cr. Misc. No. 71678 of 2024. Co-accused has also been granted bail by this Court vide order dated 04.12.2024



passed in Cr. Misc. No. 82912 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim for bail based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Manikpur P.S. Case No. 77 of 2024.

(Rudra Prakash Mishra, J)

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