

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64985 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- GURUA District- Gaya

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Khesari Khan @ Babar @ Ibrar S/o Md. Kamruddin @ Kamruddin R/o
Mohalla- Gewal Bigha, P.S.- Rampur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Singh, Adv.
		Mr. Tabish Sharfuddin, Adv.
For the Opposite Party/s	:	Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Gurua P.S. Case No. 59 of 2025 registered for the offences under Sections 334 and 303(2) of the BNS.

3. As per prosecution case, a theft was committed in the jewellery shop of the informant and the thieves took away ornaments worth Rs. 6,00,000/- and cash of Rs. 25,000/-. The name of the petitioner transpired during investigation for being involved in the said theft.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner transpired in this case on the basis of confessional statement of



co-accused Sunny Kumar wherein he said that this petitioner had planned the theft. Further after committing theft this petitioner used to sell the stolen property to other co-accused persons. Nothing incriminating has been recovered from the person or possession of this petitioner and merely on the basis of confessional statement of co-accused Sunny Kumar, the petitioner has been made accused in this case. Even the recovery of stolen articles was made from co-accused Rajesh Kumar Gupta. Petitioner is having antecedent of 14 cases. Petitioner is in custody since 28.03.2025 and charge-sheet has been submitted.

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 on behalf of the parties and considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Sherghati, Gaya/ concerned court in connection with Gurua P.S. Case No. 59 of 2025, subject to the conditions mentioned in Section



480(3) of the B.N.S.S. and other 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.

(Arun Kumar Jha, J)

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