

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65005 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- BARHARA KOTHI District- Purnia

Mithilesh Kumar @ Mithilesh Yadav @ Mithu Yadav @ Mithlesh Kumar S/O
Vindeshwari Yadav @ Bino Yadav R/O Village- Tilkora, Gopali Tola, P.S-
Murliganj, District- Madhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh, Advocate

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

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 Barhara P.S. Case No. 18 of 2025 registered for the offences under Section 309(2) of the BNS.

3. As per prosecution case, three miscreants on a motorcycle dashed the motorcycle of the informant and at gun point snatched Rs. 1,00,000/- and his Aadhar Card. The name of the petitioner transpired during investigation for being involved in the robbery.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Initially the petitioner has not named in the FIR and was not caught at the spot. Nothing



incriminating has been recovered from the person or possession of this petitioner. Petitioner has no concern with the seized article. No Test Identification Parade has been conducted. The name of the petitioner transpired in this case on the basis of confessional statement of co-accused Halchal Kumar and except for the confessional statement, there is no material to show the involvement of the petitioner in the offence as alleged. Moreover, the confessional statement has got no legal sanctity. Investigation has been completed and charge-sheet has been submitted in this case. Petitioner is in custody since 05.05.2025. Petitioner is having antecedent of 2 cases and in one such case, he is on bail.

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 fact that no recovery has been from this petitioner and also 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 District &



Additional Sessions Judge-X, Purnea/concerned court in connection with Barhara P.S. Case No. 18 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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