

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66076 of 2025

Arising Out of PS. Case No.-428 Year-2024 Thana- DARBHANGA SADAR District-
Darbhanga

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1. Nilkanth Rabo @ Nilakantu Rao Son of Aapa Rabo @ Aapa rao R/o Village - Purbacourt, Mundamala, P.S. - Korai, Jajpur Dist - Jajpur Road, Odisha.
 2. Pulisiba Son of Pulibhaskar R/o Village - Audla, P.S. - Audla, Dist. - Brahampur, State - Odisha.
 3. Koel Das @ Koilesh Das Son of Chukla Das @ Chakala Das R/o Village - Munsamat, P.S. - Jajpur, Dist. - Jajpur Road, State - Odisha.
 4. Prasant Das Son of Ganga Das @ Gagan Das R/o Village Aarain Bela, P.S. - Bhadrak, Dist. - Bhadrak, State - Odisha.
 5. Dipuna Das Son of Fakira Das R/o Village - Mulbasant, P.S. - Indrapura, Dist. - Kendrapara, State - Odisha.
 6. Sudariya Das @ Vijay Das @ Sudiriya Das Son of Babla Das R/o Village - Mulbasant, P.S. - Indrapura, Dist. - Kendrapara, State - Odisha.
 7. Manoj Das Son of Mangal Das R/o Village - Malbasant, P.S. - Indrapura, Dist. - Kendrapara, State - Odisha.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidyanath Prasad, Adv
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

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

2. The petitioners is in custody in connection with
Sadar P.S Case No. 428 of 2024 registered for the offences
punishable under Sections 331(4), 305 of the BNS.

3. As per allegation in the FIR, petitioners is alleged
to have committed dacoity in the house of the informant.



4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He next submits that petitioner is daily wage worker involved in road construction and while returning, police enquired their whereabouts, police had apprehended in this case. He further submits that no incriminating material was recovered from the conscious possession of the petitioner and moreover, there is no eye witness to the alleged occurrence. It is also submitted that petitioners are in judicial custody since 10.01.2025 having five criminal antecedent of similar nature.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 28.07.2025, it appears that all the petitioners in connivance with each other had committed dacoity in the house of the informant but no incriminating article has been recovered from the possession of the petitioners nor TIP has been conducted by the authorities. Moreover, all the petitioners does not belong to State of Bihar rather they belongs to Orissa, So, considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioners, let the above named petitioners be released on bail on furnishing bail



bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Darbhanga in connection with Sadar P.S Case No. 428 of 2024 subject to the following conditions:

- Petitioners shall remain present before the Trial Court as and when they are called for the completion of the Trial.
- Petitioners shall not leave the the State of Bihar and they will reside well within the jurisdiction of the Trial Court.
- While accepting the bail bond of the petitioners, Trial Court is directed to verify the current address of the petitioner where they will reside.
- Petitioners are directed to mark their attendance on first Monday of every month till six month before the concerned Police Station.

(Ramesh Chand Malviya, J)

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