

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65683 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- VISHNUPAD District- Gaya

=====

Gautam Kumar @ Shippu @ Shibu Son of Late Laxmi Prasad Resident of
Mohalla - Ray Shital Prasad Road Near National Public School, Gayaji, P.S.-
Kotwali, District - Gayaji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

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

=====

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

ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Vishnupad P.S. Case No. 32 of 2025 instituted for the offence
under Sections 334(1), 303(2) & 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. Prosecution case in short is that the informant,
owner of jewellery shop, found his shop's shutter broken and
jewellery looted when he arrived in the morning. He suspected
that theft has occurred during the previous night.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 23-06-2025. Petitioner
bears six 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, Sanni Kumar, Md. Raja and Md. Shahid. Nothing has been recovered from the conscious possession of the petitioner. Petitioner was not even put on T.I. Parade. Save and except confessional statement of the co-accused, there is no material against the petitioner to establish his complicity in the alleged occurrence.

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 there being no recovery from the petitioner's possession, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, 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 Vishnupad P.S. Case No. 32 of 2025, 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/-

U		T	
---	--	---	--

