

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72646 of 2025

Arising Out of PS. Case No.-121 Year-2024 Thana- KHUTAUNA District- Madhubani

Phul Babu Das @ Phulbabu Das @ Fulbabu Das Son of Ram Nath Das
Resident of Village -Laukahi PS- Laukhi Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 31-10-2025 Heard Mr. Pintu Kumar Patel, the learned counsel

appearing on behalf of the petitioner and Dr. Ajeet Kumar, the

learned A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in
connection with Khutauna P.S. Case No. 121 of 2024
corresponding to G.R. No. 1374 of 2024 registered for the
offences punishable under Sections 317(4), 317(5) and 3(5) of
the B.N.S.

3. This is the second bail application of the petitioner.

4. As per the prosecution case, the informant on secret
information with regard to stolen motorcycles, intercepted and
apprehended two persons, one being the petitioner and the other
one Sonu Kumar Saphi.

5. Learned counsel for the petitioner submits that the



petitioner has falsely been implicated in this case merely because he carries a long list of antecedents of similar nature. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. It has been submitted that the similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Hon'ble Court vide order dated 27.06.2025 passed in Cr. Misc. No. 42289 of 2025. Lastly, he submits that the petitioner is in custody since 30.08.2024.

6. The learned A.P.P. has vehemently opposed the prayer for bail.

7. Considering the aforesaid submissions made by the parties and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Khutauna P.S. Case No. 121 of 2024 corresponding to G.R. No. 1374 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in



Court on each date of the trial.

(iii) In case of absence on two 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Madhubani within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for



cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned, order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the prayer for bail is allowed.

9. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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