

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70519 of 2025

Arising Out of PS. Case No.-431 Year-2024 Thana- RUPASPUR District- Patna

Md. Arasad @ Arasad 'D' @ Saddab, aged about 28 years, Male, Son of Md. Akil, Resident of Nausa Phulwari Sharif Pani Tanki, P.S- Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Rupaspur P.S. Case No. 431 of 2024 instituted for the offences
punishable under Sections 304(2) and 112(2) of the BNS.

3. As per the prosecution case, some unknown
miscreants riding on bike looted the golden chain weighing
about 17 gm of the informant and fled away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He submits that petitioner
has neither been arrested in this case nor any incriminating
articles have been recovered from his conscious possession. He
further submits that the petitioner was arrested in Rupaspur P.S.



Case No. 482 of 2024. He next submits that petitioner has so many criminal antecedents so the police has arrested and remanded in this case. He lastly submits that on the basis of confessional statement of co-accused Rohit Kumar, who was apprehended in Rupaspur P.S. Case No. 482 of 2024 and confessed his involvement in the alleged occurrence in the instant case, he has been made accused. Petitioner is in custody since 28.09.2024

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-II, Danapur, Patna dated 04.09.2025, it appears that on the basis of written report of the informant namely Sunil Kumar Gupta, FIR has been registered under Sections 304(2) and 112(2) of the BNS against two unknown persons. During investigation the name of the petitioner has been surfaced in this case only on the basis of confessional statement of co-accused Rohit Kumar, who has been apprehended in another case and confessed his guilt before the police and naming the petitioner in the alleged occurrence. Petitioner has not put on Test Identification Parade till date, so considering all these aspects of the case and submissions of learned counsel for the petitioner, I am inclined to grant bail to



the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Additional Sessions Judge-II, Danapur, Patna in connection with Sessions Trial No. 1119 of 2025 arising out of Rupaspur P.S. Case No. 431 of 2024, subject to the condition that the petitioner shall physically present on each and every date before the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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