

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71508 of 2025

Arising Out of PS. Case No.-266 Year-2025 Thana- HARNAUT District- Nalanda

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Mithun Kumar @ Mithun Ram S/O Badhan Ram @ Om Prakash R/O
Village- Kalyan Bigha, Police Station- Kalyan Bigha, District- Nalanda,
Bihar, 803123

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hira Sharma

For the Opposite Party/s : Mrs. Nirmala Kumari

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 17-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 309(4), 392 of the B.N.S.

3. The allegation in the First Information Report is
that four unknown miscreants entered into the house of the
informant and committed robbery of gold and silver ornaments
and some cash.

4. Learned counsel for the petitioner has submitted
that the First Information Report is lodged against unknown and
the name of the petitioner transpired subsequently during course
of investigation in the confessional statement of one Vishal
Kumar who was arrested during investigation and there is no



other substantive material collected against the petitioner barring the same. It is pointed out that no incriminating article has been recovered from the possession of the petitioner and till date no Test Identification Parade has been conducted. The petitioner is in custody since 16.06.2025 and charge-sheet has been submitted.

5. Learned APP for the State vehemently opposes the grant of bail of the petitioner.

6. Taking into consideration the facts and circumstances of the case and also considering that there is no direct evidence against the petitioner but for the confessional statement before the police which has no evidentiary value and also no recovery is made from his possession, coupled with the fact that charge-sheet has been submitted, the above named petitioner is directed to be enlarged 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 Harnaut P.S. Case No. 266 of 2025, G.R. No. 3192/2025, subject to the following conditions:-

(i). One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall cooperate in getting the



charges framed and would appear before the learned trial court on each and every date physically and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

Ranjeet/-

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