

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79950 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- SHIVAJINAGAR District- Samastipur

Sanjay Kumar Yadav Son of Late Jiwachh Yadav Resident of Village and
P.O.- Baheri, P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in connection with Shivajinagar P.S. Case No. 59 of 2025 registered for the offence punishable under sections 331(4), 305 and 3(5) of BNS, 2023.

3. As per allegation in the FIR, on 30.08.2025, at about 9.00 P.M, informant received information from his villager Golu Kumar that theft has been committed in his house by breaking gate of the house. On receipt of such information, informant came to his village on 02.09.2025 and found that his motorcycle, cycle, water motor, ceiling fan, gas Cylinder, gas stove, and other house hold articles including jewellery have been stolen and on enquiry, informant found that co-accused



Sunil Kumar, Ritik Jumar, Mithu Kumar and Roshan Kumar have committed theft in his house.

4. Learned counsel for the petitioner submits that petitioner has been implicated in this case only for the alleged purchase of motorcycle parts from the *Kawaribala*. Learned counsel further submits that there is no compliance of Section 100 of C.r.P.C. It is further submitted that no TIP has been conducted uptill now and petitioner has been made accused in this case only on the basis of suspicion and recovery of motorcycle parts. It is further submitted that petitioner is innocent and he has falsely been implicated in the case. Moreover, similarly situated other accused person, namely, Pramod Kumar has already been enlarged on bail by a coordinate Bench of this Court vide order dated 19.11.2025 passed in Cr. Misc. No. 79197 of 2025. Petitioner has got no criminal antecedent and is languishing in judicial custody since 04.09.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Rosera, Samastipur in connection with Shivajinagar P.S. Case No. 59 of 2025

(S. B. Pd. Singh, J)

vashudha/-

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