

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89319 of 2024

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

Phulbabu Das @ Fulbabu Das S/o- Ramnath Das Village- Laukahi PS-
Laukahi Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti, Advocate
For the State : Mrs. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 07-05-2025 Heard Mr. Shivnandan Bharti, the learned counsel for
the petitioner and Mrs. Meena Singh, the learned Additional
Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Khutauna P.S. Case No. 121 of 2024, registered for the offences
punishable under Sections 317(4), 317(5), 3(5) of the B.N.S.

3. As per the prosecution case, the informant on secret
information about stolen motorcycle, intercepted and
apprehended two persons one being the petitioner and the other
one is Sonu Kumar Saphi.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to the fact that he has criminal antecedent of seven
cases. He further submits that no such recovery has been made



from the conscious possession of the petitioner. Lastly, he submits that the petitioner is in custody since 30.08.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated petitioner is the habitual offender and he is having seven criminal antecedent of similar nature of offence. Learned A.P.P. has also pointed out that the other co-accused, namely, Sonu Kumar Saphli, who has been apprehended along with the petitioner, had approached this court for bail, which was rejected by a Co-ordinate Bench of this Hon'ble Court vide order dated 12.12.2024, passed in Criminal Misc. 84713 of 2024.

6. Considering the aforesaid submissions made by the respective parties and taking into account the fact that petitioner is having seven criminal antecedent of similar nature of offence and he is in custody since 30.08.2024, I am not inclined to grant the petitioner privilege of regular bail.

7. The application is therefore dismissed.

(Sourendra Pandey, J)

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