

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5978 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- BHADAUR District- Patna

Ranvijay Mahto Son of Ramdev Mahto Resident of Village- Kabirchak, PS-
Belchhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Adv.
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhadaur P.S. Case No. 68 of 2024 instituted for the offences
under Sections 309(4) of the Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that three persons
came at the Informant's CSP Center and, as per allegation, they
took out *Deshi Katta*, pointed the same upon the Informant and,
thereafter, looted the Informant's laptop, mobile and Rs.
20,000/- cash from the locker of the Informant's CSP Center.
The miscreants also threatened the Informant to give one lac
rupees as ransom money.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and has been arrested in this case on the ground of his being owner of the motorcycle, in question. He further submits that his white colour Apache Motorcycle has never been used in the alleged occurrence and only on the basis of suspicion, his motorcycle has been seized by the police. The Motorcycle of the petitioner has been seized after seven days of the alleged occurrence. Learned counsel for the petitioner further submits that from the F.I.R. itself, it appears that the Informant and one witness Sardar Mahto are claiming to be the eye-witness to the alleged occurrence but, till date, the petitioner has not been put to T.I.P. to confirm his involvement in the occurrence. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner and, except suspicion, there is nothing in the entire record against the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. During investigation, the police has found nothing either direct or indirect materials against the petitioner showing indulgence of the petitioner in the alleged occurrence. There is a non-compliance of Section 103 of



the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedents and is languishing in judicial custody since 28.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He further submits that from the impugned order, it appears that the petitioner has confessed his guilt of being involved in the alleged offence.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Bhadaur P.S. Case No. 68 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the



Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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