

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2026 of 2026

Arising Out of PS. Case No.-605 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Ajay Kumar @ Ajay Basfor S/o Late Mithai Ram Resident of Village- Sarkari
Bazar Indira Nagar, P.S.- Chapra Town, Dist.- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-01-2026 Heard Mr. Sanjeet Kumar Singh, learned counsel for
the petitioner and Mrs. Dr. Indihar Kumari, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
15.07.2025 in connection with Bhagwan Bazar P.S. Case No.
605 of 2024, F.I.R. dated 26.11.2024 for the offences punishable
under Sections 305 and 331(4) of the B.N.S.

3. According to prosecution case, unknown
miscreants are alleged to have committed theft of articles worth
Rs. 50,000/- and Rs. 10,000/- in cash from the house of the
informant.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. The petitioner is not named in the FIR. The name
of the petitioner has transpired on the basis of the confessional



statement of the co-accused person and except the aforesaid no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Nothing has been recovered from the conscious possession of the petitioner and till date no TIP has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 15.07.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries twelve criminal antecedents other than the present one but fairly submits that the petitioner is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances that petitioner is not named in the FIR and his name has transpired on the basis of the confessional statement of the co-accused person and till date no TIP has been conducted by the prosecution, let the petitioner, above named, be released 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 Additional Chief Judicial Magistrate-II, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 605 of 2024,



subject to the following conditions:-

i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

atul/-

U		T	
---	--	---	--

