

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5416 of 2026

Arising Out of PS. Case No.-199 Year-2025 Thana- FATUA District- Patna

-
1. Golu Mahto Son of Shiv Shankar Mahto Resident of Gauraiya Sthan, Saidpur, Police Station - Fatuha, Dist. - Patna.
 2. Rohit Kumar @ Chedi Son of Krishna Prasad @ Mohan Prasad Resident of Gauraiya Sthan, Saidpur, Police Station - Fatuha, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamla Kant Pandey, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-01-2026 Heard Mr. Kamla Kant Pandey, learned counsel for the petitioners and Mr. Nawal Kishore Prasad, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 13.08.2025 in connection with Fatuha P.S. Case No. 199 of 2025, F.I.R. dated 14.03.2025 for the offences punishable under Sections 305 and 331(4) of the BNS, 2023.

3. According to prosecution case, there has been theft of Rs. 85,000/- cash, ornaments and other valuable items from the house of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in



the present case. They are not named in the F.I.R and their names have been transpired on the basis of the confessional statement of the co-accused, Abhishek Kumar and nothing has been recovered from the possession of the petitioners. Till date no T.I.P has been conducted by the prosecution and except the confessional statement, no other cogent material has come during investigation which suggest the name of the petitioners. He further submits that the petitioners have been remanded in the present case from Fatuha P.S. Case No. 342 of 2025 on 13.08.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioners carries seven criminal antecedents each other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-II Patna City in connection with Fatuha P.S. Case No. 199 of 2025, subject to the following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Vanisha/-

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

