

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3378 of 2026

Arising Out of PS. Case No.-263 Year-2025 Thana- PAKARIBARAW District- Nawada

Ramesh Mistry S/o Bhaso Mistry Resident of Village- Dharampur, P.S.-
Sikandra, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 20-02-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Pakribrawan P.S. Case No.263 of 2025, F.I.R dated 05.07.2025 registered for the offences punishable under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, Amit Kumar, who works as a Technician in Jio Tower Company, submitted a written report to the concerned police officer. He stated that Ajit Kumar informed him that the site PKBR-ENB-600 was down. Upon visiting the site, he found that the lock was open and four batteries (Serial Nos. 13470438, 1300916, 16130237, and 18300104) were missing. Thereafter, he lodged the case with the police.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in the present case and the name of the petitioner has transpired on the basis of confessional statement of co-accused Golu Kumar and there is no incriminating material to suggest the involvement of the petitioner in the said offence. The petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the name of the petitioner has transpired on the basis of confessional statement of co-accused Golu Kumar and there is no incriminating material to suggest the involvement of the petitioner in the said offence and the petitioner has clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 A.C.J.M-IIInd, Nawada, in connection



with Pakribrawan P.S. Case No.263 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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