

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3502 of 2026

Arising Out of PS. Case No.-59 Year-2025 Thana- SHIVAJINAGAR District- Samastipur

Mithu Kumar Son of Ram Varan Mandal Resident of village -Akhatwara P.S
-Shivajinagar District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-01-2026 Heard Mr. Gaurav Kumar, learned counsel for the

petitioner and Mr. Umanath Mishra, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.09.2025 in connection with Shivajinagar P.S. Case No. 59 of
2025, F.I.R. dated 03.09.2025 for the offences punishable under
Sections 331(4), 305 and 3(5) of the BNS, 2023.

3. According to prosecution case, this petitioner along
with other accused persons have committed theft in the house of
the informant during his absence and stolen several household
articles including bike.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



petitioner is named in the F.I.R. Nothing has been recovered from the conscious possession of the petitioner and till date no T.I.P 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 04.09.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and till date no T.I.P 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 ACJM 1st , Rosera in connection with Shivajinagar P.S. Case No. 59 of 2025, 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)

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