

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3751 of 2026

Arising Out of PS. Case No.-261 Year-2025 Thana- MUSAHARI District- Muzaffarpur

Bhuklu Kumar @ Bhukhlu Kumar Son of Late Umesh Sahani Resident of
Village - Bedauliya, P.S.- Mushahari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-01-2026 Heard Mr. Upendra Kumar Chaubey, learned counsel
for the petitioner and Mr. Bhanu Pratap Singh, learned APP for
the State.

2. The petitioner seeks bail, who is in custody since
18.11.2025 in connection with Mushahari P.S. Case No. 261 of
2025, F.I.R. dated 04.11.2025 for the offences punishable under
Sections 303(2), 334(1) of the B.N.S.

3. According to prosecution case, petitioner and other
co-accused persons are alleged to have stolen several items of
the shop of worth Rs. 90,000/-.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. Learned counsel further submits
that the petitioner is not named in the FIR and the name of the



petitioner has been transpired on the basis of confessional statement of apprehended co-accused person, namely, Vijay Sah. Thereafter the petitioner has confessed his guilt in the present occurrence and some stolen articles were recovered from the garden made in the house of the petitioner. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 18.11.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and also the fact that the petitioner has clean antecedent, petitioner is not named in the FIR and name of the petitioner has transpired on the basis of confessional statement of co-accused person, 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 1st Class, Judicial Magistrate, Muzaffarpur East, District-Muzaffarpur in connection with Mushahari P.S. Case No. 261 of 2025, with 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 her absence on two consecutive dates without sufficient reason, his/her 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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