

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6044 of 2026

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

Abhishek Kumar S/o Yogendra Paswan R/o Village- Govindpur Naya Tola,
P.S- Fatuha, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 6787 of 2026

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

Rockey Pandey @ Nipu Pandey @ Nipu S/o Dipu Pandey Resident of Village
- Bankipur Gorakh, P.S- Fatuha, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 6044 of 2026)
For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 6787 of 2026)
For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-02-2026 Since both the petitions arise out of Fatuha P.S. Case

No. 199 of 2025 they are taken up together and are being

disposed of by this common order.

02. Heard learned counsel for the petitioners and

learned APP for the State.



03. In the present case, the petitioners seek bail in connection with Fatuha P.S. Case No. 199 of 2025 registered for the alleged offences under Sections 305, 331(4) of BNS.

04. As per prosecution case, unknown thieves committed theft in the house of the informant and took away cash, ornaments and other articles from the house. The name of the petitioners transpired during investigation for being involved in the said occurrence.

05. Learned counsel for the petitioners submits that nothing incriminating has been recovered from the person or possession of the petitioners, who have been made accused in this case merely on suspicion. The name of the petitioners transpired in this case during investigation in their confessional statement but the same has got no sanctity under the law since no recovery has been made from the petitioners. The petitioners are having criminal antecedent of seven cases and in some of the cases they are on bail. The petitioners are in custody since 13.08.2025 and charge sheet has been submitted. Learned counsel further submits that similarly placed two co-accused persons have been granted bail by Co-ordinate Bench vide order dated 29.01.2026 passed in Cr. Misc. No. 5416 of



2026.

06. Learned APP opposes the submission made on behalf of the petitioners.

07. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioners and also considering the period of custody of the petitioners and submission of charge sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Patna City/concerned Court in connection with Fatuha P.S. Case No. 199 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioners will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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