

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10853 of 2026

Arising Out of PS. Case No.-545 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Manish Kumar, son of Lal Bhadhur Sah, Resident of Village-Belari P.S.
-Ujiyarpur, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR
and apprehending his arrest in connection with Muffasil P.S.
Case No.545 of 2023 registered under Sections 457 and 380
of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. As per FIR, some unknown persons committed
theft in the house of brother-in-law of the informant and
stolen valuables and gold jewelry worth of Rs.2 lakhs.

4. It is submitted by learned counsel appearing for
petitioner that during the course of investigation, one co-
accused Mithilesh Kumar was apprehended by the police,
who, out of his confessional statement, named this petitioner.



It is submitted that no incriminating material appears recovered even from apprehended co-accused persons and merely on the basis of his statement that he sold the stolen jewelry and distributed cash amongst themselves including petitioner, he was implicated with present case. It is submitted by learned counsel that petitioner was involved in one more case of similar nature with same police station and therefore, out of suspicion he was also implicated with present case on the basis of confessional statement of apprehended co-accused, without having any incriminating material.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as save and except suspicion arising out of confessional statement of co-accused *prima facie* nothing incriminating appears against petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Chief Judicial Magistrate, Samastipur in connection with Muffasil P.S. Case No.545 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short ‘CrPC’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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