

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18918 of 2026

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

Praveen Mandal Son of Shuhai Mandal R/o Village - Rajaur Moin
Rambhaddarpur, P.S. - Shivajee Nagar, Distt. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-04-2026 Heard Mr. Choudhary Shyam Nandan, learned
counsel for the petitioner and Mr. Gauri Shankar Gupta, learned
Additional Public Prosecutor for the State.

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

3. According to prosecution case, FIR named accused
persons have committed theft in the house of the informant and
stole valuable articles and cash.

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



confessional statement of the co-accused, namely, Ritik Kumar and Raushan Kumar and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that nothing has been recovered from the possession of the petitioner and till date no TIP has been conducted by the prosecution. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Modi Kumar @ Modi whose name has also been transpired from the confessional statement of co-accused Ritik Kumar and Raushan Kumar has been granted bail by this Court vide order dated 22.01.2026 passed in Cr. Misc. No. 91444 of 2025. The petitioner is in custody since 04.09.2025.

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

6. Considering the aforesaid facts and circumstances, 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 Additional Chief Judicial Magistrate-I, Rosera, Samastipur in connection with Shivajee Nagar 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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