

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26776 of 2026**

Arising Out of PS. Case No.-313 Year-2018 Thana- NAUGACHIA District- Bhagalpur

Amit @ Amit Kumar @ Haikal Son of Nityanand Mandal Resident of Village  
-Singhiya Makandpur, Harnath Chak, PS -Gopalpur, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      27-04-2026              Heard learned counsel for the petitioner and learned APP  
for the State.

2. The accused-petitioner, not named in the F.I.R., is apprehending his arrest in connection with Naugachia P.S. Case No. 313 of 2018 registered for the offences punishable under Sections 379 of the Indian Penal Code.

3. As per FIR, Rs. 1,40,000/- was stolen from the dickey of motorcycle of the informant, immediately after its withdrawal from the bank, when he left his motorcycle for a short period for purchasing the medicine.

4. Learned counsel appearing on behalf of the petitioner submitted that on the basis of CCTV footage, one suspect namely, Raghav Pandey was arrested by police, who confessed the name of this petitioner. It is submitted that without having



any incriminating material exclusively on the basis of suspicion arising out of confessional statement of apprehended co-accused, the petitioner was implicated particularly due to his criminal antecedents as he found involved in eleven (11) cases where almost in three cases he has been acquitted and in rest of eight cases, he is on bail.

5. It is further pointed out that if the merit of the case appears available in favour of the petitioner, merely due to criminal antecedents, prayer of bail of the petitioner should not be rejected. Learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Prabhakar Tewari Vs. State of U.P. and Another** reported in (2020) 11 SCC 648.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. In view of the aforesaid factual submissions and by taking note of the fact as implication of petitioner *prima facie* appears on the basis of suspicion with present crime in question arising out of confessional statement of apprehended co-accused, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail



bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – 1<sup>st</sup>, Naugachia, Bhagalpur/concerned court in connection with Naugachia P.S. Case No. 313 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

**(Chandra Shekhar Jha, J)**

Rajeev/-

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