

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28072 of 2026

Arising Out of PS. Case No.-235 Year-2025 Thana- JALE District- Darbhanga

Rupesh Kumar S/o Ram Babu Bhagat Resident of Village - Raypur, Police Station - Nanpur and District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mr. Nilendu Kumar Choudhary, learned counsel for the petitioner as well as Mr. Parmanand Kumar, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 21.12.2025 in connection with Jale P.S. Case No. 235/2025, F.I.R. dated 05.12.2025 for the offences punishable under Sections 331(4) and 305 of the Bharatiya Nyay Sanhita, 2023.

3. The F.I.R. of the occurrence of loot is against unknown.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. From bare perusal of the FIR it appears that the petitioner is not named in the FIR, the name of the petitioner has transpired during investigation on the basis of self-confessional



statement of the petitioner. Although, prosecution has claimed that recovery has been made from the house of the petitioner but learned counsel submits that description of the theft articles and recovered articles from the house of the petitioner is different. He further submits that the co-accused person, namely, Santosh Patel has been granted bail by this Hon'ble Court vide order dated 15.04.2026 passed in Cr. Misc. No. 24243/2026. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 21.12.2025.

5. The learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matters.

6. Considering the aforesaid facts and circumstances, the co-accused person, namely, Santosh Patel has been granted bail by this Hon'ble Court, 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, Darbhanga in connection with Jale P.S. Case No. 235/2025,
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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