

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32600 of 2026

Arising Out of PS. Case No.-42 Year-2025 Thana- Purbasarai District- Munger

Santosh Kumar @ Santosh Yadav S/O Late Dinesh Yadav R/o Vill.-
Shahjuber Road Dilwarpur, P.S - Parabsarai, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-05-2026 Heard Mr. Sanjiv Kumar Singh, learned counsel for
the petitioner and Mr. Damodar Prasad Tiwary, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
29.10.2025, in connection with Purabsarai P.S. Case No. 42 of
2025, F.I.R. dated 01.05.2025 registered for the offences
punishable under Sections 331(4) and 305 of the B.N.S., 2023

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

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that initially the petitioner was
not named in the F.I.R. and the name of the petitioner has been
transpired on the basis of confessional statement of co-accused



person namely Bittu Kumar and nothing has been recovered from the conscious possession of the petitioner or the house of the petitioner and till date no TIP was conducted by the prosecution. Learned counsel for the petitioner further submits that except the confessional statement of co-accused person, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence . He further submits that the police after investigation submitted chargesheet against the petitioner on 12.12.2025 and thereafter the charge has been framed on 26.02.2026 and the petitioner is in custody since 29.10.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries twelve more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that out of twelve cases, the petitioner is on bail in eight cases and rest four cases are pending for consideration before the competent court of law.

6. Considering the facts and circumstances of the case and the fact that the name of the petitioner has been transpired on the basis of confessional statement of co-accused person and till date no TIP was conducted by the prosecution, let the petitioner, above named, 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 learned Judicial Magistrate 1st Class, Munger in connection with Purabsarai P.S. Case No. 42 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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