

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32425 of 2026

Arising Out of PS. Case No.-136 Year-2026 Thana- BIDUPUR District- Vaishali

Abhishek Kumar Son of Bhola Bhagat @ Bhola Paswan Resident of Village-
Pakauli, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bidupur P.S. Case No. 136 of 2026 registered for the alleged offences under Sections 331(4), 305, 317(2), 317(5) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, a theft was committed in the house of the informant and thieves took away the ornaments worth Rs. 7,20,000/- and cash to the tune of Rs. 17,200/- from the house of the informant. The name of the petitioner transpired during investigation for being involved in commission of theft in the house of the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner has no concern with the alleged offence. Though nothing incriminating has been recovered from the possession of the petitioner, the police has shown recovery of a knife from the possession of the petitioner but the measurement of the knife was not mentioned. Learned counsel further submits that the petitioner is having antecedent of one case and is in custody since 20.03.2026.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and no recovery has been shown from him, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 136 of 2026, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and



every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

However, before accepting the bail bond of the petitioner, the learned trial court would verify whether recovery of any stolen article has been made from the petitioner except for knife and if any recovery was shown, the bail bond of the petitioner will not be accepted.

(Arun Kumar Jha, J)

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