

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36330 of 2026

Arising Out of PS. Case No.-130 Year-2019 Thana- KHODAWANDPUR District- Begusarai

1. Samsul Alam @ Samsul @ Parvej Alam Son of Abul Kalam @ Kalam Resident of village- Ram Chandramati Shyampur, PS- Bhagwandpur, Dist- Murshidabad (West Bengal)
2. Rimon Hussain @ Md. Nurul Hassan son of Nurul Asgar Resident of village- Habaspur, mathapara, PS- Bhagwangola, Dist- Murshidabad, (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No 1, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-06-2026 Heard the learned Advocate for the petitioners and learned Additional Public Prosecutor for the State through virtual mode.

2. The petitioners are apprehending their arrest in connection with Khodawandpur P.S. Case No. 130 of 2019, registered for the offences punishable under Sections 406, 379 and 120(B) of the Indian Penal Code.

3. It is alleged that on 22.05.2019, the informant gave a contract to petitioner no. 1 and others for some electrification work in agriculture area. However, the petitioners along with other labourers, who were indulge in such work have stolen the aluminum wire worth Rs. 4.50 lakhs.



4. Learned Advocate for the petitioners submitted that from the FIR it is evident that the occurrence of theft of aluminum wire took place on 30.05.2019 and despite the informant having come to know in the evening, instituted the F.I.R on 25.06.2019, without there being any plausible explanation. In fact during the interregnum period, there was some dispute with regard to wages and due to which the petitioners have left their work and they were not even aware that the present F.I.R came to be instituted subsequently, after they left their work. For the first time, the petitioners came to know about the present case in the month of March, 2025, when the police came at their residence in their absence. Learned Advocate for the petitioners on instruction also submitted that till date no process has been served upon the petitioners and they undertake that they will fully co-operate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that there is specific accusation of theft against the petitioners.

6. Having considered the submissions advanced on behalf of the learned Advocate for the respective parties and taking note of the delay in lodging of the F.I.R., coupled with



the fact that the petitioners are none else but the poor labourers and till date, as per the submissions of the learned Advocate for the petitioners, no process have been served upon the petitioners, despite the F.I.R having been lodged in the year 2019. This Court is acceded to accept the prayer of the petitioners, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Manjhaul, Begusarai in connection with Khodawandpur P.S. Case No. 130 of 2019, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the local resident of the petitioners.

(Harish Kumar, J)

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