

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78665 of 2025

Arising Out of PS. Case No.-338 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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ANKESH KUMAR @ MAIKAL S/O JAWAHAR RAJAK @ BHUSHAN
KUMAR RAJAK R/o Mohalla - Simri, P.S.- Vidyapatinagar, Distt.-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-03-2026 Heard Mr. Kedar Jha, learned counsel for the
petitioner and Mr. Pranav Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
27.01.2025 in connection with Mohiuddin Nagar P.S. Case No.
338 of 2023, F.I.R. dated 11.12.2023 for the offences punishable
under Section 395 of the Indian Penal Code.

3. According to prosecution case, 5-6 unknown
miscreants have entered into the house of the informant and
committed loot and took away several ornaments and cash
amounting to Rs. 2 lakhs and also threatened the family
members for dire consequences.

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



present case. He further submits that the petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused person, namely, Subodh Kumar and said Subodh Kumar has also disclosed the name of the other co-accused persons. Learned counsel further submits that petitioner has been remanded in the present case from Bahera P.S. Case No. 01/2024 on 27.01.2025 and till date no TIP has been conducted by the prosecution and the similarly situated co-accused person, namely, Subodh Kumar, who has disclosed the name of the petitioner, has been granted regular bail by this Court vide order dated 22.12.2025 passed in Cr. Misc. No. 88610 of 2025, other co-accused person, namely, Prince Kumar @ Prince Kumar Singh has been granted regular by this Court vide order dated 18.09.2024 passed in Cr. Misc. No. 39858 of 2024. Other co-accused person, namely, Baiju Kumar @ Baiju Mahto has been granted bail by this Court vide order dated 18.05.2024 passed in Cr. Misc. No. 44123/2024, co-accused person, namely, Gunjan Kumar has been granted bail by this Court vide order dated 23.05.2024 passed in Cr. Misc. No. 44374/2024, co-accused person namely, Vikram Kumar Singh has been granted bail by this Court vide order dated 17.05.2024 passed in Cr. Misc. No.



44590 of 2024 and co-accused person, namely, Aman Kumar @ Rot Bilar has been granted bail by this Court vide order dated 27.06.2024 passed in Cr. Misc. No. 51844/2024. He further submits that the petitioner is in judicial custody since 27.01.2025.

5. Learned APP 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 that on the basis of paragraph 3 of bail petition that out of twelve cases, the petitioner is on bail in seven cases and rest five cases are pending for consideration before the Competent Court of law.

6. Considering the aforesaid facts and circumstances and also the fact that the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused person, namely, Subodh Kumar and said Subodh Kumar and other co-accused persons have been granted bail by this 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 Judicial Magistrate, 1st Class, Samastipur, in connection with Mohiuddin Nagar P.S. Case No.



338 of 2023, with 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 her absence on two consecutive dates without sufficient reason, his/her 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)

Ranjeet/-

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