IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76476 of 2026

CNR No. BRHC011092892026

Arising Out of PS. Case No.-95 Year-2025 Thana- GARKHA District- Saran

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Mintu Kumar @ Mintu Kumar Sah @ Mintu Sah S/o Gajendra Sah R/o Village - Methwalia, PS - Chapra Muffasil, District - Saran at Chapra

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Tejpratap Singh, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Garkha P.S. Case No. 95 of 2025 instituted for the offences under Section 310(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution allegation, in short, is that on 12.02.2025, while the informant was returning from village, the informant alongwith his wife on his motorcycle was intercepted by six accused persons. At gunpoint(katta), the assailants robbed

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the informant of Rs. 5,000/- and his mobile phone, snatched his wife's purse and gold chain, and fled towards village Sadhpur..

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the FIR. The name of the petitioner has transpired on the confessional statement of co-accused, namely, Bittu Kumar. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. There is no recovery of any incriminating articles from the conscious possession of the petitioner. The petitioner is in custody since 09.08.2026 and has got no criminal antecedent. The petitioner has not been put on T.I.P. to ascertain his participation in the instant case. There is no compliance of Section 103 of the B.N.S.S.. Co-accused has been granted regular bail by this Bench vide order dated 12.10.2026 passed in Cr. Misc. No. 73028 of 2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing

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bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Garkha P.S. Case No. 95 of 2025.

(Rudra Prakash Mishra, J)

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