IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77369 of 2026

CNR No. BRHC011104432026

Arising Out of PS. Case No.-151 Year-2026 Thana- KOILWAR District- Bhojpur

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Happy Singh @ Happy @ Aditya Singh @ Aditya Kumar Singh S/o Late Vishal Singh R/o Village - Dhandiha, P.S - Koilwar, District - Bhojpur at Ara

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Manoj Kumar Singh
For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 28-10-2026 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor on behalf of the State.

2. The petitioner has been languishing in custody since 21.07.2026 and has been made an accused for the offences registered under Section 310(2), 311 of the BNS in connection with Koilwar P.S. Case No. 151/2026.

3. As per the allegation made in the FIR, a Dacoity was committed in the Jewellary shop of the informant where the articles worth Rs. 1,80,000/- as well as Rs. 40,000 were looted.

4. Learned counsel for the petitioner submits that the petitioner was not named in the F.I.R., his name has transpired from the confession of the one co-accused namely Abhishek

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Kumar @ Modi. Learned counsel next submits that no recovery has been made except a Mobile from the conscious possession of the petitioner. Learned counsel next points out *Annexure-P/2* (the sale letter) stating therein that the said mobile which is recovered from the conscious possession of the petitioner belongs to him. The learned counsel next submits that the petitioner has not been put on the Test Identification Parade and no recovery has been made till date from his conscious possession with regard to the articles looted from the jewellary shop. Learned counsel further submits that he has two cases against him in which he is already on bail, and is languishing in custody since 21.07.2026. Learned counsel undertakes to co-operate with the investigation and trial and not to repeat any offence.

5. Learned APP appearing on behalf of the State has opposed the application.

6. Taking into consideration that no recovery of the articles looted in dacoity has been recovered from the conscious possession of the petitioner and as such the recovery of such articles has been made from the possession of the co-accused and the name of the petitioner has transpired on the basis of the confession of the co-accused, the prayer for bail is allowed and

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the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Learned Court of the Chief Judicial Magistrate, Bhojpur at Ara in connection with Koilwar P.S. Case No. 151/2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of the trial.

(ii) One of the bailors must be a close relative of the petitioner, such as his mother, father, brother, sister or wife.

(iii) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than the two cases mentioned in para-3 of the bail petition, his bail bond shall not be accepted.

Cases mentioned in para-3 of the bail petition are as follows:-

a) Koilwar P.S. Case No. 93 of 2026.

b) Koilwar P.S. Case No. 46 of 2026.

(iv) The petitioner will appear on each and every date fixed by the trial court and if he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to

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cancel the bail bond of the petitioner.

(v) It is also made clear that there shall be no delay in verifying the criminal antecedents of the petitioner, and the delay shall not extend beyond a period of ten days.

(vi) If he repeats any offence of a similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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