

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79728 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- NAUGACHIA District- Bhagalpur

Mithun Singh @ Mritunjay Singh @ Mithun Kumar @ Mirtunjay Kumar Son
of Dayanand Singh R/o Village - Mil Tola, P.S. - Naugachia, Dist. -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 09-02-2026 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Naugachia P.S. Case No. 35 of 2025, instituted for the offences
punishable under Sections 331(4) and 305 of the Bharatiya
Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that while the
informant was not present in his hometown, unknown thieves
broke open the door and entered into his house and had stolen
cash of Rs. 1 lakh along with various gold and silver ornaments
belonging to his wife and daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submitted that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of secret information received by the police. It is next submitted that neither any stolen article has been recovered from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner has been arrested only on the basis of suspicion. The petitioner is in custody since 05.05.2025 and has got sixteen criminal antecedents. Learned counsel for the petitioner further submitted that other co-accused has been granted regular bail by this Court vide order dated 09.10.2025 passed in Cr. Misc. No. 71110 of 2025.

5. Learned APP 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 taking into account 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 ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the



like amount each to the satisfaction of Court below/concerned Court in connection with Naugachia P.S. Case No. 35 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar nature in future.

(V) The petitioner shall not leave the territorial jurisdiction of the learned Court below without taking prior permission of the Court concerned.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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