

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78573 of 2025

Arising Out of PS. Case No.-222 Year-2025 Thana- PURNEA SADAR District- Purnia

Prem Kumar S/o Late Gyan Chandra Das Resident of village- Guljarbad,
ward no 20, P.S. Madhepura, District- Purnea, presently Resident of sardar
Tola, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate

Mr.Kumar Rajdeep, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, A.P.P.

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

ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sadar
P.S. Case No. 222 of 2025, instituted for the offences under
Sections 317(4), 317(5) and 111 of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case, in short, is that informant of this
case received information that co-accused Naveen Kumar and
Aarti Kumar along with his associates are involved in repeated
thefts and house breaking incidence. Thereafter, co-accused
Naveen Kumar was apprehended, who disclosed the name of
petitioner and his wife as his associate.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Naveen Kumar. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the stolen property. Learned counsel further submitted that T.I.P. has not been conducted till date to ascertain the involvement of the petitioner in the alleged offence. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.05.2025 and has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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, as also 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 Sadar P.S. Case No. 222 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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