

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79264 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- CHERKI District- Gaya

Satish Mandal @ Baba @ Raju Bhuiyan S/o Late Karu Mandal @ Manu Mandal @ Kali Bhuiyan R/o Village- Pathalkati (Gopalpur), PS- Sherghati, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 77510 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- CHERKI District- Gaya

Santosh Kumar @ Santosh Mehta S/o Upendra Singh R/o Vill- Apaki, P.S.- Kasma, Distt- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 79264 of 2025)

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

(In CRIMINAL MISCELLANEOUS No. 77510 of 2025)

For the Petitioner/s : Mr. Kamendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-01-2026 Heard Mr. Paras Nath, learned counsel for the petitioner and Mr. Raj Kishor Singh, learned Additional Public Prosecutor for the State (in Cr. Misc. No. 79264 of 2025) and Mr. Kamendra Prasad Singh, learned counsel for the petitioner and Mr. Satyendra Prasad, learned Additional Public Prosecutor for the State (in Cr. Misc. No. 77510 of 2025).



2. Petitioners seeks bail who are in custody since 03.03.2025 in connection with Cherki P.S. Case No. 12 of 2025, F.I.R. dated 23.01.2025 for the offences punishable under Section 309(4) of the Bharatiya Nyay Sanhita, 2023 and later on Section 317(2) of Bharatiya Nyay Sanhita, 2023 added.

3. According to prosecution case, the informant alleged that when he was going to village Pipra to Gaya and reached at Jamari Pul, three miscreants came and snatched his motorcycle, cell phone and bag containing biometric charger and loan amount of Rs.91,621/-.

4. Learned counsel for the petitioners submits that petitioners are innocent and they falsely been implicated in the present case. Petitioners are not named in the FIR and their name transpired on the basis of self-confessional statement of the petitioners which was recorded in Gurua P.S. Case No. 72 of 2025 and thereafter the petitioners were remanded in the present case on 03.03.2025 and the police recovered the articles from abandoned condition lying beside road and petitioners have no concern at all with the alleged recovery of articles and no TIP was conducted by the prosecution. He further submits that petitioner, namely, Satish Mandal @ Baba @ Raju Bhuiyan has 13 criminal antecedents out of which he is accused in seven cases



and rest six cases wrongly mentioned in the case diary in which he is not made accused in any way and in one case he is on bail and in other six cases he has been remanded later and petitioner, namely, Santosh Kumar @ Santosh Mehta carries eight criminal antecedent and he is on bail in one out of eight. The police after investigation submitted charge-sheet and the petitioners are in custody since 03.03.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioners, 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 Additional Chief Judicial Magistrate-V, Gaya in connection with Cherki P.S. Case No. 12 of 2025, subject to the following conditions:-

- i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.
- ii. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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