

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78224 of 2025

Arising Out of PS. Case No.-202 Year-2025 Thana- BARARI District- Katihar

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Bishnu Kumar @ Bishnu Kumar Sah, S/o Shambhu Prasad Sah @ Shambhu Sah, Residents of Village - Sonarpatti Barari, P.S.- Barari, District -Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the State : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barari
P.S. Case No. 202 of 2025, registered for the offences
punishable under Sections 305 and 331(4) of the B.N.S.

3. As per allegation, when the informant was away
from his house, gold and silver ornaments besides cash of
Rs.4,50,000/- have been stolen from his house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the FIR has been lodged against
unknown. He also submits that the name of the petitioner has
transpired in the confessional statement of co-accused who
confessed before the Police that he has stolen the ornaments and



sold the same to the petitioner who is a shopkeeper dealing in gold and silver ornaments. He also submits that after one and half months of the confessional statement of co-accused, some ornaments have been seized from the shop of the petitioner which are not the stolen property. These ornaments were purchased by the petitioner for his shop. He also submits that no Test Identification Parade has been conducted till date for recognition of the stolen property by the informant. As such, there is no legally admissible material on record against the petitioner. The liberty of the petitioner is being curtailed without any legal justification.

5. He further submits that the petitioner has been languishing in jail since 12.08.2025.

6. It has also been stated in paragraph No. 3 of the bail petition that the petitioner has been made accused in another case.

7. It is also stated in paragraph No. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances,



this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Barari P.S. Case No. 202 of 2025 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.



(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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