

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86725 of 2025

Arising Out of PS. Case No.-218 Year-2020 Thana- MOTIPUR District- Muzaffarpur

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Brajesh Ray @ Brajesh Kumar Yadav @ Brajesh Kumar S/o Ram Kripal Ray
Resident of Village- Deogan, Sonapur, P.S.- Katra, District- Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Himanshu Shekhar, Advocate
For the State : Mr. Binod Kumar No.3, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-01-2026 Heard Mr. Himanshu Shekhar, learned counsel for the

Petitioner and Mr. Binod Kumar No.3, learned APP for the State.

2. Petitioner seeks regular bail in connection with

Motipur P.S. Case No. 218 of 2020 dated 07.09.2020 registered for
the offence punishable under Section 395 of the Indian Penal
Code.

3. The main submissions advanced by the petitioner's
counsel are that the petitioner has been languishing in jail since
30.05.2025, the investigation against him has been completed and
without any material or evidence, he has been made an accused
mainly on the basis of suspicion and during the course of
investigation, the police failed to recover any incriminating
evidence, including any part of the looted money, from his
possession. It is further submitted that three co-accused persons,
carrying almost similar nature of allegations, have been granted



bail by the learned co-ordinate Benches of this Court vide orders dated 01.12.2021, 05.01.2022, and 20.09.2023 passed in Cr. Misc. Nos. 33899 of 2021, 45029 of 2021, and 13740 of 2023, respectively, and the trial court mentioned in the order rejecting the bail prayer for the petitioner that the looted money was recovered from the accused persons, but the name of this petitioner, whether he was among them, has not been noted by the trial court.

4. Though learned APP for the State has opposed the prayer for bail of the petitioner but he has not been able to refute the petitioner's aforesaid defence.

5. Considering the aforesaid submissions and mainly the petitioner's custody period, completion of the investigation against him, and the averments made by him in the petition, coupled with the aforesaid defence, this Court is inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Motipur P.S. Case No. 218 of 2020.

(Shailendra Singh, J)

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