

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82621 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- SHIVAJINAGAR District- Samastipur

Ram Kumar Son of Ramsvrth Mandal @ Ramswrath Mandal Resident of
village- Dumramohan, P.S.-Shivajinagar, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 06-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Shivajinagar P.S. Case No. 59 of 2025 registered for the offences punishable under Sections 331(4), 305 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant has alleged that he is a resident of Delhi and he was informed that on 30.08.2025 there was a theft committed in his house and a motorcycle, jewelry, cash of Rs.40,000/- and other articles were stolen.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and there is no material on record to connect the petitioner with the



aforesaid incident. It has been submitted that co-accused Ritik Kumar admitted that he had committed the theft and on his confession even the recovery of the stolen articles were made. It has been lastly submitted that the petitioner has clean antecedent and he is in custody since 04.09.2025. Learned counsel for the petitioner further submits that one bicycle is said to have been recovered from the house of the petitioner. It is next submitted that co-accused namely Raushan Kumar has already been enlarged on bail *vide* order dated 05.01.2026 passed in Cr. Misc. No. 83747 of 2025 by this Court.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, let the petitioner, 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 1st, Rosera at Samastipur court in connection Shivajinagar P.S. Case No. 59 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically



present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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