

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83594 of 2025

Arising Out of PS. Case No.-228 Year-2025 Thana- MOKAMAH District- Patna

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Milky Kumar @ Mikki Kumar @ Himanshu Kumar Sujit Kumar @ Sujit Singh R/o Village - Sakarwar Tola, Ward No. 15, Mokama, P.S. - Mokama, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 28-01-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 305 and 331 (4) of the Indian Penal Code.

3. The case of the prosecution is that some miscreants committed theft in the house of the informant, during which a golden chain having weighing 40 grams, two lockets weighing 20 grams, one Jitya weighing 5 grams, two rings weighing 10 grams and two lockets of Bajrangbali. Altogether, articles worth approximately Rs. 10 lakhs were stolen. The FIR was lodged against unknown miscreants.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the petitioner was apprehended and has confessed his guilt and that from his possession, one golden chain and two rings were recovered. It is further submitted that the petitioner has produced the purchase invoice and stated that the recovered articles belongs to him, as he had purchased the same from Verma Jewellers, Mokama on 04.06.2025. It is also submitted that during the entire course of investigation, no Test Identification Parade (TIP) of the recovered articles were recovered. Although, it is admitted that golden articles were recovered from the possession of this petitioner, in the absence of any TIP and in view of the defence taken by the petitioner supported by a purchase bill, it becomes difficult to conclusively ascertain whether the recovered articles are the subject matter of this case. Moreover, the petitioner is languishing in judicial custody since 03.07.2025.

5. Learned APP appearing for the state has vehemently opposed the prayer of regular bail stating that the petitioner has 10 criminal antecedents.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on



bail. The above named petitioner is directed to be released on bail in connection with Mokama P.S. Case No. 228 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-III, Barh, Patna, subject to the condition that the petitioner will mark his attendance weekly at Mokama police station, shall co-operate in the trial and shall remain physically present during the trial till the conclusion of the trial.

(Ashok Kumar Pandey, J)

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