

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85265 of 2025

Arising Out of PS. Case No.-219 Year-2025 Thana- BANJARIA District- East Champaran

Ramesh Mahto, Son of Bachhu Mahato, Resident of Village - Singhia Hiban,
P.S. - Banjaria, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, 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 Banjaria P.S. Case No. 219 of 2025 registered for the offences punishable under Section 305 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant has alleged that a theft was committed in the house and Rs.3,95,000/- kept in a bag along with a mobile phone and wristwatch were stolen away.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and during the course of the investigation, on the basis of confessional statement of co-accused Vikas Kumar the name of the petitioner has surfaced in



this case. It has, though, been submitted that a mobile phone and a wristwatch have been recovered from the house of the petitioner, however, they are common articles and till date the recovered articles have not been put on TIP in order to ascertain the veracity of the recovery. It has further been submitted that no TIP has been conducted till date of the petitioner and he is in custody since 11.08.2025 and the charge-sheet has already been submitted and he also carries clean antecedent.

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 court below where the case is pending/successor court in connection with Banjaria P.S. Case No. 219 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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