

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85325 of 2025

Arising Out of PS. Case No.-317 Year-2025 Thana- Sahayak Khajanchi District- Purnia

Pappu @ Pappu Nunia @ Pappu Kumar @ Pappu Ninia @ Pappu Mahto @
Pappu Nonia, Son of Gujja Mahto, Resident of Village - Babupur, Near -
Railway Crossing Shiv Mandir, Tinpahar, P.S.- Tinpahar, District- Sahebganj
(Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, 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 Sahayak (Khazanchi) P.S. Case No. 317 of 2025 registered for the offences punishable under Sections 303(2), 317(4), 317(5), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant has alleged that he got information that seven persons, including the petitioner, were planning to flee to Bengal after stealing mobile phones from different areas in and around Purnea. Acting on the tip-off, the informant arrived at the place of occurrence and apprehended seven persons, including the petitioner and



altogether 84 mobile phones were recovered and seizure list was prepared.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no such recovery, as alleged, has been made from his conscious possession. It has been submitted that from the seizure list, it would appear that the place of recovery is said to be the shed at a bus stand and, therefore, no conscious possession of the petitioner could be proved from the same. It has next been submitted that the petitioner has only one criminal case against his name and the charge-sheet has already been submitted and he is in custody since 17.09.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail and has stated that altogether 11 mobile phones were recovered from the backpack, which was being carried by the petitioner and was apprehended at the bus stand.

6. Considering the aforesaid submissions made by the parties and taking into account the recovery of the mobile phones, let the petitioner, above named, be released on bail, **after framing of charges**, 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 Sahayak (Khazanchi) P.S. Case No. 317 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.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Purnea within fifteen days of his release with a copy of this order and



every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

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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