

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85710 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- CHANDI District- Bhojpur

Prem Sagar Kumar, S/o Ramnath Ray @ Ramnath Rai, Resident of Village -
Jamira, P.S, - Ara Mufasil, District - Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Chandi P.S. Case No.23 of 2025 registered for the
offences punishable under Sections 334(1) and 303(2) of the
Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is not named in the FIR
and is in custody since 10.10.2025.

4. The allegation against petitioner is to commit
theft along with co-accused persons in the shop of the
informant doing business of mobile and related accessories.

5. It is submitted by learned counsel appearing for
petitioner that the name of petitioner transpired on the basis



of confessional statement of co-accused Manish Kumar, in furtherance of which, no incriminating material has been recovered/surfaced from possession of this petitioner. It is submitted that said co-accused Manish Kumar was also granted bail by this Court through Cr. Misc. No.25200 of 2025 dated 28.07.2025. The petitioner was not put on T.I.P. as yet. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover petitioner claimed clean antecedent. It is pointed out that the mobile alleged to be recovered was not put for its identification.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* stolen mobile not appears connected in want of its identification by the informant, as submitted above, coupled with the fact that investigation of this case is already completed, where petitioner remains in



custody since 10.10.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Bhojpur in connection with Chandi P.S. Case No.23 of 2025 subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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