

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86755 of 2025

Arising Out of PS. Case No.-409 Year-2025 Thana- RAFIGANJ District- Aurangabad

Ashok Kumar @ Ashok Kumar Soni, S/o Late Ram Avtar Soni, R/o Village-
Main Road Rafiganj, P.S- Rafiganj, Dist- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate.

For the State : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 07-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Rafiganj P.S. Case No. 409 of 2025, dated
20.09.2025 registered for the offences punishable under
Sections 305(a), 331(4) and 317(2) B.N.S.

3. As per allegation, co-accused Munna Kumar has
committed theft in the dwelling house of the informant and in
his confessional statement he has confessed to the Police that
stolen jewellery has been sold/kept at the shop of Ashok
Jewellers and on raid at the shop of Ashok Jewellers, some
ornaments have been recovered.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this



case. She further submits that this is not certain whether the recovered jewellery from the Ashok Jewellers/petitioner are the same jewellery stolen by co-accused from the dwelling house of the informant. She further submits that the petitioner runs a jewellery shop and hence it is natural to have jewellery in his shop and this is no case of the prosecution that the same jewellery was stolen from the dwelling house of the informant. The informant has not given any details of jewellery stolen by the co-accused. Hence, it is not possible to match the recovered jewellery with the stolen jewellery. She also submits that the whole case is based on suspicion against the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Rafiganj P.S. Case No. 409 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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