

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89985 of 2025

Arising Out of PS. Case No.-368 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Pritam Kumar @ Ghutra @ Pritam Kumar Ghutra Son of Rajeev Singh @
Rajeev Kumar Singh @ Rajeev @ Rajo Singh Resident of Village-
Hanumangadhi (Hanumangarhi) Ward No. 45, Mohan Eghu, P.S.- Muffasil,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mrs.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 368/2024 registered for the offences
punishable under Sections 304(2) of the B.N.S.

3. As per prosecution case, the informant proceeded
from her village Kaithma for consultation from the doctor.
When she reached Bari Yedh Durga Asthan then two unknown
persons on motorcycle snatched her *mangalsutra* from her neck
and fled away from the place of occurrence. FIR has been
lodged against unknown.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence as alleged in the FIR. The petitioner is not named in the FIR and his name surfaced in this case on the basis of confessional statement of co-accused Abhishek Kumar. Except confessional statement of co-accused, there is nothing on record to demonstrate the present petitioner with the alleged occurrence. The said co-accused has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.30600/2025 and the case of present petitioner stands on better footing. The petitioner is languishing in custody since 20.11.2024 and bears seven criminal antecedents out of which in four cases he has been acquitted and in two cases he is on bail. He further submits that no incriminating article has been recovered from the conscious possession of the petitioner, Although, the impugned order records that a *mangalsutra* was recovered from the possession of the petitioner, no seizure list was prepared in respect of the said recovery till the submission of the charge-sheet. No T.I.P. was conducted uptill now. The petitioner is not in any way connected with the alleged occurrence. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State vehemently



opposes the prayer for bail of the petitioner and submits that during course of investigation, the name of the petitioner surfaced in this case on the basis of confessional statement of co-accused and therefore, he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody is more than one year, co-accused has already been granted bail, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-1st Class, Begusarai in connection with Muffasil P.S. Case No. 368/2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates



without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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