

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91053 of 2025

Arising Out of PS. Case No.-436 Year-2025 Thana- KAUWAKOL District- Nawada

1. Sachin Kumar S/O Raju Singh @ Raju Ram Resident Of Village- Bindichak, P.S- Kawakole, District- Nawada.
2. Siyaram Kumar S/O Rambriksh Yadav Resident Of Village- Bindichak, P.S- Kawakole, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Kawakole P.S. Case No. 436 of 2025 registered for the alleged offences under Sections 310(2) and 311 of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, seven miscreants on three motorcycles stopped the electric Auto of the informant and demanded Rs. 50,000/-. When the informant shows his inability to make the payment, they assaulted him with iron rod and *lathi* and snatched a gold locket, mobile phone, silver bracelet and cash of Rs. 5,000/- from the informant. They also took away the



batteries of electric Auto and the informant was thrown away near a canal after being brutally assaulted. The name of the petitioners transpired during investigation for being involved in the alleged *dacoity*.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No test identification parade has been held to ascertain the identity of the petitioners. Recovery of looted mobile phone has been shown from petitioner no. 1 but he has purchased it from some person. In fact, nothing incriminating has been recovered from person or possession of the petitioners. The petitioner no. 1 is having antecedent of two case whereas petitioner no. 2 has got clean antecedent. The petitioners are in custody since 17.11.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP further submits that recovery of looted mobile phone was made from petitioner no. 1 and at his instance, petitioner no. 2 was apprehended.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioners along with submission of charge-sheet, the petitioners above named are directed to be



released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nawada/court concerned in connection with Kawakole P.S. Case No. 436 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.
- (iv) The petitioner will appear and mark his presence before the concerned police station once every fortnight.

(Arun Kumar Jha, J)

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