

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2597 of 2026

Arising Out of PS. Case No.-129 Year-2025 Thana- BARURAJ District- Muzaffarpur

Karn Kumar @ Karan Kumar, S/o- Ram Sagar Ray, R/v- Bhagwanpur, P.S.-
Baruraj, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-02-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Baruraj P.S. Case No. 129 of 2025 registered for the offences punishable under Sections 303(2), 317(2), 317(4), 317(5), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. In course of patrolling duty, the police on receipt of a call that some persons are engaged in selling of stolen Iron objects, raided the place of occurrence and when the informant reached near the house of the petitioner, he found that a Tempo was standing there and 5-6 persons were engaged in buying/selling Iron objects. However, noticing the police party, the accused persons succeeded in fleeing away, except one of them, who disclosed his name as Dharmendra Sahani. The apprehended person also disclosed the name of the petitioner



along with others.

4. Learned Advocate for the petitioner taking this Court through the F.I.R. contended that the name of the petitioner has been disclosed by co-accused Dharmendra Sahani, however, save and except the disclosure, as also the fact that the Tempo was lying nearby the house of the petitioner, the name of the petitioner has been implicated in this case. Moreover, there is no other material suggesting the complicity of the petitioner in the crime. Earlier also, the name of the petitioner was implicated in Baruraj P.S. Case No. 128 of 2025, based upon the suspicion of theft and only in order to solve the earlier case, the recovery of stolen articles has been shown from a *tempo*, which does not belong to the petitioner. Even if the entire statement mentioned in the F.I.R. is taken into account, no criminal liability has been fastened against the petitioner. The petitioner undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the entire recovery has been made nearby the house of the petitioner and earlier case instituted against him clearly suggests his complicity in the crime.



6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the factum of recovery from a *tempo*, lying nearby the house of the petitioner, besides no other materials against the petitioner, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class (West), Muzaffarpur in connection with Baruraj P.S. Case No. 129 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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