

In the Court of Additional Sessions Judge-I, Danapur

(Present:- Sri Bhupendra Singh, Addl. Sessions Judge, Danapur)

B.P. No. 258 of 2026

(Arising out of Danapur P.S. Case No. 1203 of 2023)

Arjun Kumar, son of Late Kameshwar Paswan, resident of Village- Machhuatoli, Police Station- Danapur, District- Patna,

Petitioner

Versus.

The State of Bihar.

Opp.Party

Learned counsel for the petitioner :- Sri Mithilesh Kumar Yadav (Advocate)

Learned counsel for the State :- Sri Ramkeshwar Prasad (A.P.P.)

ORDER.

06-03-2026 This Regular Bail petition has been filed on behalf of the above-named petitioner, who is in Judicial custody since 12-09-2023 in connection with Danapur P.S. Case No. 1203 of 2023 registered under Section 392 of the I.P.C., pending in the Court of learned A.C.J.M.-I, Danapur.

It is submitted on behalf of the petitioner that earlier a Regular Bail Petition No. 199 of 2024 was filed which was rejected and thereafter a Cr. Misc. No. 62991 of 2024 was filed before the Hon'ble High Court, Patna and the same was allowed vide order dated 11-09-2024. After that the petitioner had filed a Cr. Misc. No. 75935 of 2025 before the Hon'ble High Court, Patna for modification of one of the conditions but the same was rejected stating therein that modification application is not maintainable, with liberty to the petitioner to file a fresh bail application in accordance with law and thereafter this fresh bail petition filed before this learned Court and this is the second regular bail application of the petitioner. It is further submitted that the name of the petitioner has come in this case on the statement of the co-accused Banti Kumar. Nothing has been recovered from the possession of the petitioner. The other co-accused Banti Kumar and Bikky Kumar has already been released on bail by the order of Cr. Misc. No. 14909 of 2024 and Cr. Misc. No. 7275 of 2024 respectively and the case of the petitioner is on better footing. There is no direct and specific allegation against the petitioner and no T.I. parade has been held in this case. The petitioner is innocent and has committed no any offence. The petitioner has been falsely implicated in this case and is in custody since 12-09-2023. Hence, he may be enlarged on bail.

Learned Addl. P.P. opposed the payer for bail.

As per F.I.R., on 09-09-2023, when the informant Jyoti Kumari was returning to her house two miscreants followed her and when she was opening her shoes in her house they came inside her room and threatening her with a Pistol and took away her two Mobiles, two gold chains, two rings, one of the gold while another was diamond, a Titan watch and fled away. On 10-09-2023, when the informant was going towards Machhua Toli she identified one of them and followed him and then he climbed up in the roof of a

In the Court of Additional Sessions Judge-I, Danapur

(P.O.:- Sri Bhupendra Singh, Addl. Sessions Judge-I, Danapur)

B.P. No. 258 of 2026

(Arising out of Danapur P.S. Case No. 1203 of 2023)

Arjun Kumar Versus. The State of Bihar

Contd.

06-03-2026

- 2 -

house and the informant made noise and said boy was apprehended by the Police. On interrogation the said boy disclosed his name as Banty Kumar and also told the name of his companions as Vicky Kumar and Arjun Kumar (petitioner). On the basis of the written report of the informant Jyoti Kumari, the F.I.R. was lodged under section 392 of the I.P.C.

It is submitted and disclosed on behalf of the petitioner that he is also an accused in Danapur P.S. Case No. 23 of 2017. The learned Addl. P.P. failed to produce the criminal antecedents of the petitioner inspite of sufficient opportunities provided therefor.

Perused the case diary. On perusal of the case diary, it transpires that the prosecution version finds support from it. During raid at the house of the petitioner Arjun Kumar one Mobile was recovered while from the house of co-accused Golu Kumar another Mobile was recovered and these Mobiles belonged to the informant Jyoti Kumari. It also transpires that the rings etc. and a Titan watch which were stolen from the informant were recovered from the possession of co-accused Banty Kumar. The charge-sheet has been submitted against the petitioner under sections 392 and 411 of the I.P.C. There is allegation against the petitioner that they followed the informant Jyoti Kumari and when she opened the lock of her house and was opening her shoes, by putting her under threat with a Pistol, the petitioner and other co-accused looted her ornaments, Mobiles and watch and fled away. Some of the stolen articles have been recovered from the possession of the petitioner. The nature of allegation against the petitioner appears to be having terrorizing impact over the society in large. It further transpires that earlier the petitioner has approached this Court for grant of bail and said prayer was rejected vide B.P. No. 199 of 2024 and after that the petitioner has approached the Hon'ble High Court, Patna vide Cr. Misc. No. 62991 of 2024 and the Hon'ble High Court has been pleased to allow his prayer for bail subject to the conditions as hereunder:-

“(i) The petitioner will mark his attendance at the Danapur Police Station on every Sunday of each month. Any default in appearance at the police station would result in cancellation of bail bond of the petitioner.

(ii) Before accepting the bail-bond of the petitioner, the Court below will verify the antecedent of the petitioner. If the petitioner is found having clean antecedent, the bail bond of the petitioner shall be accepted. If the petitioner is found having criminal antecedent(s), his bail-bond shall not be accepted by the Court below.”

But during verification by the learned trial Court, it was revealed that another case

In the Court of Additional Sessions Judge-I, Danapur

(P.O.:- Sri Bhupendra Singh, Addl. Sessions Judge-I, Danapur)

B.P. No. 258 of 2026

(Arising out of Danapur P.S. Case No. 1203 of 2023)

Arjun Kumar Versus. The State of Bihar

Contd.

06-03-2026

- 3 -

Danapur P.S. Case No. 23 of 2017 was also lodged against the petitioner, which was not disclosed before the Hon'ble High Court and as such in view of the direction of the Hon'ble High Court, his bail bond was not accepted. After that the petitioner approached the Hon'ble High Court for modification of said condition imposed against him vide Cr. Misc. No. 75935 of 2025 but his prayer for modification was rejected with the observation; *"In the opinion of this Court, this modification application is not maintainable and the same has been rejected with liberty to the petitioner to file a fresh bail petition in accordance with law."* and after that the instant bail petition has been filed before this Court. Apparently, the petitioner concealed his criminal antecedent before the Hon'ble High Court, while making prayer for bail and obtained the bail as such he does not deserve to be released on bail.

Having considered aforesaid, I am not inclined to enlarge the above named petitioner **Arjun Kumar**, on bail. Accordingly, the prayer of bail of the petitioner is hereby **rejected**.

(Dictated)

Sd./-

(Bhupendra Singh)

Addl. Sessions Judge-I, Danapur.