

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8277 of 2024

Arising Out of PS. Case No.-856 Year-2021 Thana- BIHAR District- Nalanda

Bitan Yadav @ Vishal Kumar Son of Mantu Yadav Resident Of Tikulipar, P.S.
- Bihar, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bihar
P.S. Case No. 856 of 2021 instituted for the offences under
Section 414, 420, 467, 468/34 of the Indian Penal Code.

3. The allegation against the petitioner including the
co-accused is of committing theft of Pickup Van bearing
Registration No. BR 11S 4474 and using the same fraudulently
by changing the registration number.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case merely on suspicion. The petitioner has no concern



with the seized Pick-up Van and the same was not seized from the conscious possession of the petitioner rather the same was recovered near the house of one Mukesh Kumar Singh. There is no direct or specific allegation of any overt act against the petitioner. The petitioner has been remanded in this case from Bihar P.S. Case No. 220 of 2023. The petitioner has two criminal antecedents as has been stated in paragraph no.3 of the present bail application and in both of them, he is on bail. The petitioner is languishing in judicial custody since 04.09.2023. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the similarly situated co-accused Abhishek Kumar has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 08.12.2022 passed in Cr. Misc. No. 40738 of 2022.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also considering the claim of parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of Court below/concerned
Court in connection with Bihar P.S. Case No. 856 of 2021.

(Rudra Prakash Mishra, J)

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