

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3613 of 2024

Arising Out of PS. Case No.-558 Year-2018 Thana- SARAIYA District- Muzaffarpur

Vivek Kumar @ Mahi Yadav @ Mani Yadav Son of Ashok Ray Resident of
Village- Sumera, P.S.-Kudhani, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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

ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Saraiya
(Jaitpur O.P.) P.S. case No. 558 of 2018 instituted for the
offences under Sections 395, 397 of the Indian Penal Code and
Section 27 of the Arms Act.

3. Prosecution case, in short, is that when the
informants were going to load cash in the ATM, 5-6 unknown
miscreants are alleged to have looted the said cash box
containing 52 lacs of rupees.

4. It has been submitted on behalf of the petitioner that
the petitioner was remanded in this case on 21.08.2023 from K.
Hat P.S. Case No. 813 of 2023 and has two criminal



antecedents. The petitioner has falsely been implicated in the present case only on the basis of confessional statement of the co-accused person, namely Sunny Kumar who has already been granted bail by a co-ordinate Bench of this Court vide order dated 01.08.2019 passed in Cr. Misc. No. 30524 of 2019. It is further submitted by learned counsel for the petitioner that no T.I.P. has been held till date. Nothing incriminating has been recovered from the conscious possession of the petitioner.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Saraiya (Jaitpur O.P.) P.S. case No. 558 of 2018.

(Rudra Prakash Mishra, J)

Alok Verma/-

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