

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3547 of 2025**

Arising Out of PS. Case No.-76 Year-2024 Thana- KESARIA District- East Champaran

Vikash Kumar S/o- Maya Shankar Bhagat Resident of village- Raghunathpur  
Ps- Kesariya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Ms. Shaheen Begum, APP

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

ORAL ORDER

2      24-01-2025              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with  
Kesariya P.S. Case No. 76 of 2024, instituted for the offences  
punishable under Section 379 of the Indian Penal Code.

3.      The prosecution case, in short, is that, motorcycle  
of the informant bearing Registration No.- BR05AR-5340  
containing mobile phone and Rs. 4,000/- in the dickey was  
stolen away.

4.      Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of his own confessional statement recorded in Kesariya P.S. Case No. 77 of 2024 also on the basis of confessional statement made by co-accused Golu Kumar and same has got no evidentiary value. It is further submitted that no stolen article has been recovered from the possession of the petitioner. The petitioner is in custody since 13.08.2024 and has got two criminal antecedents. Other co-accused has been granted bail by this Court *vide* order dated 03-12-2024, passed in Cr. Misc. No. 81591 of 2024.

5. Learned APP 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 taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Kesariya P.S. Case  
No. 76 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the  
family of the petitioner.

(II) The petitioner shall appear on each and every date  
fixed at the trial. In case of default in such appearance on two  
consecutive dates, the Trial Court will have liberty to cancel the  
bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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