

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3761 of 2025

Arising Out of PS. Case No.-358 Year-2024 Thana- SUGAULI District- East Champaran

Vivekanand Kumar @ Gungun Paswan S/O Bindu Paswan Resident of village
- Ghoghraha Bairiya, P.S- Harsidihi, 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 : Mr. Parmanand Kumar, 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. Perused the case diary.

2. The petitioner seeks bail in connection with
Sugauli P.S. Case No. 358 of 2024 instituted for the offences
under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that when the
informant was on his way along with his father on his
motorcycle, four unknown miscreants accosted them and looted
the motorcycle and mobile phone of the informant.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired on the basis of confessional statement of co-accused,



namely, Niraj Kumar, who has been granted bail by this Court *vide* order dated 17-01-2025, passed in Cr. Misc. No. 80118 of 2024. No incriminating article has been recovered from the conscious possession of the petitioner. Petitioner was not put on T.I. Parade. There is no compliance of Section 103 of the BNSS. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.08.2024 and has one criminal antecedent.

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 as also 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 Sugauli P.S. Case No. 358 of 2024

(Rudra Prakash Mishra, J)

Raj Kishore/-

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