

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10166 of 2025

Arising Out of PS. Case No.-373 Year-2019 Thana- SUPAUL District- Supaul

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Vivek Kumar @ Vivek Kumar Yadav @ Vivek Yadav Son of Bijay Kumar
Yadav village- Supaul, Lohiya Nagar, Ward no. 09, Ps- Supaul, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the State : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Supaul P.S. Case No. 373 of 2019, dated
10.06.2019, registered for the offences punishable under
Sections 356 and 379 of the Indian Penal Code.

3. As per allegation, three unknown motorcyclists
snatched a bag of the informant containing laptop and mobile
and subsequently, one Rohan Kumar Jha was arrested and in his
confessional statement before the police, names of the petitioner
and two other co-accused, namely, Prashant Mishra and Munna
Jha have transpired and as per the confessional statement, it was
the petitioner, who had supplied the pistol to co-accused Rohan
Kumar Jha.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the FIR is lodged against unknown persons and name of the petitioner has transpired only in the confessional statement of co-accused which has no evidentiary value. He further submits that the petitioner has no connection at all with the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has ten criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul, in connection with



Supaul P.S. Case No. 373 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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