

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8586 of 2025

Arising Out of PS. Case No.-227 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

1. Bhagwan Kumar, (Male), aged about 28 years, Son of Nagendra Patel, Resident of Village - Chakmaruf, P.S. - Vaishali (Belsar O.P), District - Vaishali
2. Raj Kumar @ Raj Kumar Mahto, (Male), aged about 28 years, Son of Prabhu Mahto, Resident of Village - Mauna Bishunpur, P.S. - Vaishali (Belsar O.P), District - Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Rajeev Ranjan No. II, Advocate
For the Opposite Party : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 17-04-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Hajipur Sadar (Kajipur O.P.) P.S. Case No. 227 of 2024 dated 10.04.2024 registered for the offences punishable under Sections 379 and 328 of the I.P.C.

3. As per the prosecution case, the informant is the owner of the Bolero Pick-up Van bearing Registration No. BR-01GF-7518 and his vehicle was stolen by some unknown person after giving intoxicant to the driver. When the informant came to know the location by G.P.S., he reached there and found the



driver.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the petitioners have been remanded in the present case on 04.09.2024 from Hajipur Sadar P.S. Case No. 397 of 2024 as stated in paragraph no. 2 of the supplementary affidavit filed on behalf of the petitioners. No incriminating article has been recovered from their possession. Their names have surfaced in the present case on the basis of the confessional statement of the co-accused Samod Kumar, Md. Junaid Hussain and Sri Ram Patel which has got no evidentiary value in the eye of law. There is general and omnibus allegation against the petitioners. The other co-accused person, namely, Shri Ram Patel, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 15117 of 2025 under order dated 28.03.2025. The petitioner no. 1 has three criminal antecedents and in two cases, he is on bail and the petitioner no. 2 has three criminal antecedents and in two cases, he is on bail as stated in paragraph no. 3 of the bail petition. They are in custody in this case since 04.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Vaishali at Hajipur in connection with Hajipur Sadar (Kakipur O.P.) P.S. Case No. 227 of 2024 with further condition:-

(I) The petitioners are directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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