

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12246 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Vijay @ Vijay Sada @ Vijay Rishidev, aged about 40 years, Male, Son of
Upendra Sada, Resident of Village- Kadamkhadi P.S.- Angarh, District
-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kochadhaman P.S. Case No. 11 of 2024 instituted for the
offences punishable under Sections 395, 397 of the Indian Penal
Code, Section 27 of the Arms Act and 3/4 of the Explosive
Substance Act.

3. As per the prosecution case, 20-25 unknown
miscreants entered into the house of the informant and looted
ornaments after breaking almira and box.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere
suspicion. He further submits that petitioner has not arrested at



the spot and no looted articles has been recovered from the conscious possession of the petitioner. Petitioner has been made accused only on the basis of confessional statement of co-accused Mustakim and Badiruddin. He next submits that petitioner has not put on Test Identification Parade. He lastly submits that investigation has already been concluded and chargesheet has been submitted in this case and similarly situated co-accused persons have been granted bail by this Court. Petitioner is in custody since 04.12.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Sessions Judge, Kishanganj dated 23.01.2025, it appears that petitioner is not named in the FIR. On the basis of fardbeyan of the informant Manish Kumar Karamkar, FIR has been registered under Sections 395, 397 of the Indian Penal Code, Section 27 of the Arms Act and $\frac{3}{4}$ of the Explosive Substance Act against 20-25 unknown miscreants. It also appears that the name of the petitioner has been surfaced only on the basis of confessional statement of co-accused namely Mustakim and Badiruddina have been granted bail by this Court in Cr. Misc. Nos. 38301 of 2024 and 54368 of 2024 vide orders dated 01.08.2024 and 18.10.2024, respectively, accordingly the



prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Chief Judicial Magistrate, Kishanganj in connection with Kochadhaman P.S. Case No. 11 of 2024.

(Ramesh Chand Malviya, J)

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