

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11939 of 2025

Arising Out of PS. Case No.-370 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Samod Kumar S/O Bhujangi Paswan Village- Fulhare, P.S.- Hajipur Sadar,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

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

ORAL ORDER

4 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 370 of 2024 instituted for the offences under Sections 379, 420, 328 of the Indian Penal Code.

3. Prosecution case, in short, is that, the accused persons hired a driver, i.e. the informant, on the pretext of transporting goods and was administered drug in his cold drink and his vehicle was stolen.

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 in this case during investigation on the basis of



suspicion and later on his self-confessional statement was recorded. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted vehicle. Learned counsel further submitted that T.I.P. has not been conducted till date. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.08.2024 and has three criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that petitioner has himself confessed his guilt and specifically stated that he administered drugs into the cold drink of the informant and when the informant lost consciousness, he stolen the vehicle of the informant and sold the same to a *kabaadi* shop owner namely, Junaid Hassan. Learned APP further submitted that the vehicle has also been recovered from the scrap shop of Junaid Hassan. Learned APP further submitted that petitioner does not deserve to be released on bail.

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, *after framing of charge, if not already framed*, 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 Hajipur Sadar P.S. Case No. 370 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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