

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12014 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- AZIMABAD District- Bhojpur

Ayush Kumar Singh @ Ayush Ranjan S/O Sunar Singh R/O Village- Park Lane, Bhawar Pokhar, P.S- Bankipur (Pirbahor), Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 12628 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- AZIMABAD District- Bhojpur

Dipak Singh @ Dipak Kumar S/O Sunar Singh R/O Village- Chakafate, P.S- Jandaha, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12014 of 2025)

For the Petitioner/s : Mr. Shovendra Kumar, Advocate

For the State : Mrs. Pushpa Sinha.1, APP

(In CRIMINAL MISCELLANEOUS No. 12628 of 2025)

For the Petitioner/s : Mr. Shovendra Kumar, Advocate

For the State : Mrs. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 13-05-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Azimabad P.S. Case No. 71 of 2024 for the offence under Sections 317(2), 303(2) and 317(5) of the B.N.S., lodged on 21.08.2024 by the informant, Himanshu Raj.



3. As per the prosecution story, the informant alleged that the Swaraj Tractor with trolley was parked outside the house. Next day, it was found missing, this led to the F.I.R.

4. Subsequently, during the investigation, Kiran Devi and Vicky Kumar @ Raushan Kumar Rai were apprehended and they gave the name of this petitioner.

5. Learned counsel for the petitioners submit that both have no criminal antecedent, they are daily wager, have no role to play in the said theft matter, nothing has been recovered from their conscious possession and the last submission is that they shall be diligently appearing in trial.

6. Learned APP opposes the prayer for bail submitting that those who were apprehended named them.

7. Though allegation is there against the two petitioners, considering the fact that they do not have criminal antecedent, nothing has been recovered from their conscious possession and the name has come in the confessional statement, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

8. However, if it is found that any of the two petitioners are having criminal antecedent, the order with regard to the said petitioner shall stand rejected.



9. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -1st, Bhojpur (Ara), in connection with Azimabad P.S. Case No. 71 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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