

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20628 of 2025

Arising Out of PS. Case No.-768 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Vishal Kumar @ Ansi Kumar S/O Chandraket Sharma @ Chandrakant Thakur @ Chandraket Thakur Resident of Village- ward No 11, PS- Sadar Hajipur, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-07-2025 Heard Mr.Santosh Kumar, learned counsel for the petitioner and Mr.Rana Randhir Singh, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Hajipur Sadar P.S.Case No.768 of 2021,FIR dated 02.09.2021 registered for the offences punishable under Sections 420, 379,34 of IPC.

3. As per prosecution case, in brief, is that on 31.08.2021 at about 12 hours, a phone call was received by the informant and it was told that there was a talk of selling of motorcycle about three months back. The informant and Ajit Kumar came at Gandhi Chowk on a motorcycle and his friend withdrew Rs. 2,20,000/- from Current Account. Rajiv Kumar



told through phone that you would come at Ramashish Chowk then the informant reached there. It is further alleged that an Alto car and a Scorpio vehicle reached there and snatched the bag containing the said amount.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Rajeev Kumar Chaudhary and except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and similarly situated co-accused person, namely, Sanjay Singh @ Sanjay Kumar Singh, whose name has also been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Rajeev Kumar Chaudhary, has been granted privilege of anticipatory bail by this Court vide order dated 01.11.2022 passed in Cr. Misc. No.28263 of 2022.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that name of the petitioner has been transpired during investigation



on the basis of the confessional statement of co-accused person, namely, Rajeev Kumar Chaudhary and apart from that, the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioner is not named in the FIR and the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person and similarly situated co-accused person has been granted privilege of anticipatory bail by this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Hajipur Sadar P.S.Case No.768 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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