

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16512 of 2025

Arising Out of PS. Case No.-56 Year-2024 Thana- NTPC KHAIRA District- Aurangabad

Vimlesh Kumar @ Vimlesh Chouhan, aged about 20 years, son of Late Arun Chauhan, resident of Village- Salaiya Karma, P.S.- Navinagar, District- Aurnagabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-03-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with NTPC Khaira PS Case No.56 of 2024 dated 20.09.2024, instituted for the offence punishable under Section 310(2) of the *Bhartiya Nyaya Sanhita, 2023*.

3. The prosecution case, in brief, is that on the alleged date of occurrence 10-12 unknown persons alleged to have forcibly taken three batteries, 600 litres diesel and one drum on the point of pistol from the campus of ADS Company.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. FIR is against unknown. Only on the basis of concessional



statement of co-accused, Akash Kumar, the petitioner has been made accused in this case. Except the confessional statement of the co-accused, there is nothing on record to connect the petitioner with the alleged crime. Nothing has been recovered either from the conscious possession or from the house of the petitioner. The petitioner is a student aged about 20 years who is pursuing his study. The petitioner has no concern with the seized BOLERO vehicle which has been seized during course of investigation. Lastly, it is submitted that the petitioner is in custody since 04.01.2025 and one criminal case is pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in NTPC Khaira PS Case No.56 of 2024, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the



Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that 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.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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