

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19484 of 2025

Arising Out of PS. Case No.-315 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

Shiv Kumar Yadav Son of Hridaya Yadav @ Hriday Chaudhary Resident Of
village- Fulwaria, PS- Mairwa, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Siwan Muffasil P.S Case No. 315 of 2023 registered for the
offences punishable under Sections 379 of the I.P.C.

3. As per prosecution case, it is alleged that
petitioner has stolen vehicle from the outside of the police
station premises.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is
further submitted that nothing recovered from the conscious
possession of the petitioner. It is also submitted that
petitioner is in judicial custody since 01.10.2025.

5. However, learned APP for the State oppose the



prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order it appears that, petitioner is not named in FIR whereas his name surfaced from the confessional statement of the co-accused. Vehicle in question is not recovered from the conscious possession of the petitioner. Investigation is already concluded, accordingly, charge-sheet submitted. No test identification parade were conducted during the investigation. One of the co-accused has already granted regular bail by the Co-ordinate Bench of this Court vide order dated 25.08.2023 passed in Cr. Misc. No. 54798 of 2023.

7. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner 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 learned ACJM 1, Siwan in connection with Siwan Muffasil P.S Case No. 315 of 2023 with condition that petitioner shall co-operate in the trial and shall be present on each and every date fixed by the trial court till



conclusion of the trial and in his absence on two consecutive dates without any cogent reason will be sufficient to cancel his bail bonds.

(Ramesh Chand Malviya, J)

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