

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19597 of 2025

Arising Out of PS. Case No.-252 Year-2023 Thana- TARAIYA District- Saran

Vivek Rai @ Vivek Kumar S/o Birendra Rai R/o vill - Narayanpur, P.S.-
Taraiya, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kunal Tiwary
For the Opposite Party/s	:	Mr. Md. Nazir Ansari
For the Informant	:	Mr. Avanindra Kumar Jha
		Mr. Alok Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-04-2025 1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 379, 504, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioner is innocent and thus submitted final form exonerating the petitioner of the allegations, but then it is submitted that the informant had also filed a protest petition before the learned



Trial Court, the learned Trial Court differing with the police report took cognizance of the offence under Section 307 of the IPC read with other section of the IPC, as such petitioner apprehends arrest. The learned counsel for the petitioner next submits that when one Investigating Agency, after a threadbare investigation came to a considered conclusion, that petitioner is innocent whether it would be prudent for the Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same investigation which exonerated the petitioner of the allegation, it is submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

4. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioner, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that police after investigation submitted final form exonerating the petitioner of the allegation.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned trial court where the case
is pending/successor court in connection with Taraiya P.S. Case
No. 252 of 2023 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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