

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23516 of 2025

Arising Out of PS. Case No.-946 Year-2024 Thana- SAHARSA SADAR District- Saharsa

1. Vishwanath Yadav @ Vijaya @Vijay @ Vijaya Yadav S/O Ajeet Yadav Resident of Rautara, Ward No. 1, P.S- Rautara, District- Katihar.
2. Raja Kumar Yadav @ Karu S/O Ajeet Yadav Resident of Rautara, Ward No. 1, P.S- Rautara, District- Katihar.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 28-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered for
the offence punishable under Section 303 (2) of the Bharatiya
Nyaya Sanhita, 2023.

3. The first information report has been lodged
against the unknown miscreants stating that Rs.1 lakh along
with two pass books of the informant, which was kept in the
dicky of his motorcycle, went missing when he came out of the
Bank.

4. It is submitted by learned counsel for the
petitioners that the F.I.R. is against unknown and the name of



the petitioners transpired, subsequently, during course of investigation as they were arrested on the basis of suspicion. It is further submitted that they were identified in the CCTV footage, which has come on record in para-43 of the case diary. Further, the confessional statement of petitioner no.1 was recorded during course of investigation before the police which has no evidentiary value in the eye of law. It is further submitted that the petitioners have been made accused in this case on account of their criminal antecedent and no cash has been recovered from the possession of the petitioners rather one key has been recovered from the possession of the petitioners. It is also submitted that in any view of the matter the charge-sheet has been submitted in this case and the petitioners are languishing in custody since 15.09.2024.

5. Learned APP for the State opposes the bail petition on the ground of criminal antecedents of the petitioners and submits that they have three criminal antecedents and out of three, two are of similar nature of the offence.

6. Taking into consideration the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the



like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Saharsa Sadar P.S. Case No.946 of 2024, subject to the conditions that :

(i) The petitioners shall remain physically present in court on each and every date during trial till the framing of charge and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(ii) The petitioners are directed to mark their attendance before the concerned police station on the first Sunday of every month and in case of failure to do so, the bail bonds of the petitioners shall liable to be cancelled by the learned Court below.

(Soni Shrivastava, J)

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