

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23081 of 2025

Arising Out of PS. Case No.-567 Year-2021 Thana- GARKHA District- Saran

1. Vikky Kumar @ Araw Sriwastawa @ Aarabh Srivastava S/o Rajesh Prasad @ Rajesh Kumar R/o Village- Mahaicha, P. S. - Uchkagaon, District- Gopalganj
2. Rohit Ram @ Rohit S/o Rajesh Ram R/o vill - Fulugni Bichla Tola, P.s.- Thawe, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate
For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 11-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Garkha P.S. Case No. 567 of 2021, instituted for the offences punishable under Section 392 of the Indian Penal Code.

3. The prosecution case, in short, is that, three unknown miscreants looted cash of Rs. 40,600/- from the hotel of the informant on the point of pistol and dagger and fled away from the spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that the petitioners are not named in the FIR. Name of the petitioners have transpired in this case on the basis of confessional statement of co-accused, namely, Pintu Kumar Pandey and the same has got no evidentiary value. It is next submitted that neither any recovery nor any T.I. parade has been conducted in this case. The petitioners are in custody since 18.06.2024 and have got ten criminal antecedent in which they are on bail in nine cases. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 04.09.2024 passed in Cr. Misc. No. 61672 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Garkha P.S. Case
No. 567 of 2021, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioners.

(II) The petitioners shall appear on each and every
date fixed at the trial. In case of default in such appearance on
two consecutive dates, the Trial Court will have liberty to cancel
the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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