

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23791 of 2025**

Arising Out of PS. Case No.-81 Year-2024 Thana- TURKAULIYA District- East Champaran

Vikash Kumar S/o Manoj Mahto @ Suresh Mahto Resident Of Village-  
Pachrukha, P.S.- Banjariya, Dist -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      05-05-2025                      Heard Mr. Shivjee Singh, learned counsel for the  
petitioner and Mr. Prem Kumar Jha, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Turkauliya P.S. Case No. 81 of 2024, F.I.R. dated 01.02.2024 registered for the offences punishable under Section 394 of the Indian Penal Code.

3. The F.I.R. of the occurrence of loot is against unknown.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person namely Sahbag Kumar @ Rupesh



Kumar and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and apart from that other co-accused person namely Vikash Kumar @ Vikash Mahto whose name has also been transpired on the basis of confessional statement of co-accused person namely Sahbag Kumar @ Rupesh Kumar has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 29.11.2024 passed in Cr. Misc. No. 72773 of 2024.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of disclosure made by co-accused person and similarly situated co-accused person has been granted the privilege of anticipatory bail by a Coordinate Bench of this Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya P.S. Case No. 81 of 2024, subject to the conditions as



laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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