

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30624 of 2025**

Arising Out of PS. Case No.-82 Year-2020 Thana- PHULWARIYA District- Gopalganj

Vishal Kumar @ Vishal Kumar Singh S/o Shree Ram Singh R/o Deurwa,
Gadi Tola, Sangwa Dih, P.S.- Gopalpur, District- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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

2 14-05-2025 Heard Mr. Indrajeet Bhushan, learned counsel for the
petitioner as well as Mr. Umesh Lal Verma, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Phulwariya P.S. Case No. 82 of 2020, F.I.R. dated 17.03.2020 for the offences punishable under Sections 413, 414 and 34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along with other accused persons used to stole motorcycles and sold them in other state.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the FIR, the name of the petitioner transpired on the basis of



confessional statement of the co-accused person, namely, Jakir Mia @ Jakir Ansari and except the aforesaid, there is no other material came during the investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the similarly situated co-accused, namely, Vishal Kumar @ Vishal Kumar Singh has been granted anticipatory bail by this Court vide order dated 10.04.2025 passed in Cr. Misc. No. 15289 of 2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent other than the present one which is pending against the petitioner.

6. Considering the aforesaid facts and circumstances that the name of the petitioner has been transpired on the basis of disclosure made by the co-accused person, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XVI, Gopalganj in connection with Phulwariya P.S. Case No.82 of 2020, subject to the conditions as laid down



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

i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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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