

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32487 of 2025

Arising Out of PS. Case No.-366 Year-2023 Thana- DARAUNDA District- Siwan

Uttam Kumar S/o Late Jamindar Rai Resident of Village - Dhum Nagar,
Mahna, P.S. - Bhagwanpur Hat, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Daraunda P.S. Case No. 366 of 2023 lodged on 01.12.2023, for the offence punishable under Section 379 of the Indian Penal Code, pending in the Court of Chief Judicial Magistrate, Siwan.

3. As per the prosecution, FIR has been lodged against unknown persons. It has been alleged in the FIR that some unknown persons have stolen the informant's Bolero vehicle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned



counsel submits that the petitioner is not named in the FIR, and his name has been implicated in the present case solely on the ground that the vehicle in question was found to be involved in another excise case, where it was seized with liquor and the petitioner is an accused in that matter. Counsel submits that in the said excise case, petitioner was granted anticipatory bail and in the present case, only on suspicion, his name has come.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that although the petitioner was granted bail in the excise matter due to having no criminal antecedents, the vehicle involved in the present case is the same as that used in the said excise offence, in which the petitioner is an accused.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected with liberty that if, petitioner surrenders before the concerned Trial Court within a period of six weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on the same day considering the factual matrix of this case, without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the



Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J)

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