

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34330 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- RUPO District- Nawada

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Vijay Prasad S/o Late Baleshwar Mahto R/o Vill - Nawadih, P.S - Rupau, Dist
– Nawada Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rupau P.S. Case No. 64 of 2025 registered for the offences punishable under Sections 317(5) of the BNS, 2023.

3. As per the prosecution story, on 02.04.2025, during the course of patrolling of Chhath Ghat, on suspicion, the police apprehended a person who was riding on motorcycle. Upon interrogation, he disclosed his name as Vijay Prasad and he could not produce any document of the said motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The alleged occurrence taken place on the abandoned place and Chhath Ghat of village Nawadih and petitioner is not owner of that place. The alleged occurrence took place in day broad light but both seizure list witnesses are police officials who are member of



raiding team. No any incriminating article has been recovered from the possession or from his house. In course of investigation no any direct or indirect evidence came against the petitioner. After completion of investigation chargesheet has been submitted by the police in this case against the petitioner. Petitioner is man of clean antecedent and he is in custody since 04.04.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Nawada in connection with Rupau P.S. Case No. 64 of 2025 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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