

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34916 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- MANIHARI District- Katihar

Praful Kumar Gupta S/O Balram Gupta @ Balram Prasad Gupta Resident of
Village and PS- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Shakir Ahmad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 12-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner is permitted to make
correction in para-3 of the petition.

3. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

4. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 305(e),
316(3) and 316(5) of the B.N.S.

5. The allegation in the first information report is that
One Dhirendra Prasad, who was 4th grade employee, working
in the OPD Pharmacy and Store of the hospital was found
stealing 72 packets of anti-rabies vaccines.

6. It is submitted by learned counsel for the petitioner



that petitioner is not named in the first information report and a perusal of the same would go to show that co-accused, Dharendra Prasad has been identified in the CCTV footage and has been alleged to commit theft of the vaccines. The name of the petitioner has transpired during the course of investigation upon the confessional statement of co-accused, Dharendra Prasad, who had admitted his complicity and stated that he had given the vaccines to the petitioner for sale. Further, the material against the petitioner is that he was also in contact with the co-accused, Dharendra Prasad. However, it has been submitted that besides this fact, there is no other material collected during the entire course of investigation to establish his complicity. Further, the petitioner has no criminal antecedent and he undertakes to cooperate in the investigation.

7. Learned APP for the State opposed the prayer for bail.

8. Taking into consideration the facts and circumstances of the case as well as the fact that the petitioner is not named in the F.I.R. and has been made accused in the confessional statement of co-accused, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from



today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Manihari P.S. Case No. 28 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 and further condition that the petitioner would make himself available before the Investigating Agency as and when required and, in case of any non-cooperation in the investigation, the learned Court below would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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