

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44194 of 2025

Arising Out of PS. Case No.-188 Year-2022 Thana- HASANPUR District- Samastipur

Golu Kumar @ Vivek Kumar Yadav, S/o Khanoj Yadav @ Sanjeev Yadav @
Sanjeev Kumar Yadav R/O Village- Pirahi, P.S- Alauli, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv.

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 25-07-2025 1. Heard Mr. Mukesh Kumar, learned counsel for the petitioner and Ms. Anita Kumari, learned APP for the State.
2. The petitioner seeks regular bail in connection with Hasanpur P.S. Case No. 188 of 2022 dated 19.07.2022 registered for the offences punishable under Sections 392 and 411 of the Indian Penal Code.
3. The main submissions advanced by the petitioner's counsel are that the petitioner is not named in the FIR, the instant matter relates to loot allegedly committed with the informant in respect of his Laptop, mobile and a sum of Rs. 3,600/- etc., the FIR has been registered against unknown and during the course of investigation, one co-accused namely Devbrat Mukhiya was arrested and he recorded his confessional statement before the police in which the name of this petitioner found place upon that



basis, the petitioner was apprehended but except the confessional statement of said Devbrat Mukhiya, there is no material to connect the petitioner in the alleged occurrence. It is further submitted that as per the prosecution, petitioner's motorcycle was used in the commission of the alleged occurrence and he was apprehended with his own motorcycle but there is no evidence to show the petitioner's motorcycle to be used in the alleged crime and the police falsely roped the petitioner's motorcycle in the alleged crime, as in the FIR there is neither description of the alleged motorcycle nor there is any other material to justify the police's said conclusion. It is further submitted that the co-accused Devbrat Mukhiya has been granted bail by the trial court itself and the petitioner's bail prayer has been rejected mainly considering his criminal antecedents of eight cases but he is on bail in the said cases. It is lastly submitted that the petitioner has been languishing in jail since 22.11.2024 and against him, the investigation has been completed and neither the petitioner nor his motorcycle was put before the informant for test identification.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the aforesaid submissions advanced by the petitioner's counsel, this court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be



enlarged on bail in connection with Hasanpur P.S. Case No. 188 of 2022 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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