

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45920 of 2025

Arising Out of PS. Case No.-167 Year-2024 Thana- NAUGACHIA District- Bhagalpur

Vicky Kumar S/O Akkal Yadav Resident of Village- Latra, P.S- Gopalpur,
Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-08-2025 Heard Mr. Amrendra Kumar, learned counsel for the

petitioner and Mr. Damodar Prasad Tiwary, learned APP for the

State.

2. The instant application for anticipatory bail has
been filed by the petitioner apprehending his arrest in
connection with Naugachia P.S. Case No. 167 of 2024 instituted
for the offence under Sections 384, 386, 379, 506 and 34 of the
Indian Penal Code.

3. The case of the prosecution is that Anti Liquor Task
Force, Naugachia came on a scorpio vehicle which was being
driven by a private driver, namely, Sanni along with two home
guard *jawans* to the house of the informant and forcibly kept a
sack full of liquor and threatened that she will be implicated in a
case of liquor if she does not give cash on which the informant



gave Rs. 13,000/- to the driver while the home guard *jawans* committed theft of Rs. 1,08,000/-

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has submitted that the name of this petitioner has surfaced in this case because he is also a home guard. There is no specific allegation in the FIR as to which home guard has committed the theft. It has also been submitted that nothing has been recovered from the possession of this petitioner. He has also submitted that the occurrence is of 18.05.2024 whereas the FIR was lodged on 24.05.2024 with a delay of six days and there is no explanation of the delay. He has also submitted that one co-accused Sanni Thakur having the allegation of taking away Rs. 13,000/- has been granted bail by learned co-ordinate Bench of this Court vide order dated 18.09.2024 in Cr. Misc. No. 59785 of 2024 and another co-accused Aditya Kumar who is also a home guard has been granted bail by learned co-ordinate Bench of this Court vide order dated 31.01.2025 in Cr. Misc. No. 88313 of 2024. The case of this petitioner stands of similar footing. A statement has been made in para-3 of this petition that the petitioner has got no



criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Naugachia P.S. Case No. 167 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Naugachia subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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