

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50598 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- TARIYANI CHOWK District- Sheohar

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Vinay Choudhary @ Vinay Jaiswal S/o Jaimangal Choudhary R/o Vill-
Parsurampur, P.S.- Parsauni, Distt- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 04-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 317(4), 317(5), 111(4) of the
B.N.S.

3. As per prosecution case, the informant states that a
secret information having been received that some persons
involved in selling and stealing of motorcycle, a raid was
conducted in the house of accused Vijay Ram and a stolen
motorcycle is said to have been recovered from his possession.

4. Learned counsel for the petitioner submits that
there is no recovery of any motorcycle from the personal or
conscious possession of the petitioner. He further submits that
petitioner is not amongst the five accused persons who have



been arrested along with stolen motorcycles and the name of the petitioner also did not transpire amongst those persons who fled away from scene of occurrence. The name of the petitioner has transpired in this case on the confessional statement of co-accused Vijay Ram before the police which has no evidentiary value in the eyes of law. The petitioner undertakes to co-operate in the case/trial.

5. Learned APP for the State has opposed the application for bail on the ground that petitioner has two criminal antecedents. In response, learned counsel for the petitioner submits that both the cases are of excise act and the petitioner is on bail in the said cases.

7. Taking into consideration the aforesaid facts and circumstances of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Tariyani P.S. Case no.13 of 2025 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, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section



482(2) of the B.N.S.S, 2023 and subject to the further condition that:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.

(II) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer of the present case on an interval of every 15 days till the investigation is concluded against him.

(III) The learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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