

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50570 of 2025

Arising Out of PS. Case No.-180 Year-2024 Thana- PATKHAULI District- West Champaran

Vatan Kumar, Gender- Male, aged about- 23 years, Son of- Vindhyavashini Chaudhary @ Vindhyawasini Chaudhary, Resident of- Ward No- 12, Naraipur, PS- Patkahuli, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2025 Heard Mr. Umesh Kumar Gupta , learned counsel
appearing on behalf of the petitioner and Mr. Pradeep Narain
Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Patakhauli P.S. Case No. 180 of 2024 registered for the
offence punishable under Sections 305 (a) and 334(1) of the
BNS (Corresponding to old Sections 380 and 461 of the Indian
Penal Code).

3. As per the allegation made in the FIR, some
unknown persons had committed theft in the shop of the
informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. FIR is against unknown. Name of the petitioner has surfaced on the basis of confessional statement made by co-accused Sanjay Yadav in police custody, which has no evidentiary value in the eye of law. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that FIR is against unknown. Name of the petitioner has surfaced on the basis of confessional statement made by co-accused Sanjay Yadav in police custody, which has no evidentiary value in the eye of law. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran, in connection



with Patakhauri P.S. Case No. 180 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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