

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58055 of 2025

Arising Out of PS. Case No.-91 Year-2024 Thana- FALKA District- Katihar

Vikash Kumar @ Vikash Kumar Mukhiya S/O- Late Mantu Mukhiya R/O-
Ganeshpur Ward No. 13, P.S.- Puraini, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Falka P.S. Case No. 91 of 2024, registered for the offences under Section 392 of the Indian Penal Code.

3. As per the prosecution case, robbery was committed in the office of the informant and the robbers fled away with Rs.35,000/- in cash and 81 mobile phones worth Rs. 19 lakh. The miscreants also took away the DVR of the CCTV and the mobile phone of the informant. The name of the petitioner transpired during investigation.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner transpired in this case in confessional statement of co-accused Abhisekh and except for this confessional statement there is no cogent material to connect the petitioner with the offences.



Nothing incriminating has been recovered from the person or possession of the petitioner and only recovery shown from the petitioner is of a motorcycle but the said motorcycle was not recovered from the possession of the petitioner. Similarly situated co-accused persons have been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 20.08.2024 passed in Cr. Misc. No. 55192 of 2024, order dated 08.08.2024 passed in Cr. Misc. No. 56038 of 2024 and order dated 04.10.2024 passed in Cr. Misc. No. 68458 of 2024. The petitioner is in custody since 04.03.2025 and he has one criminal antecedent. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the petitioner was involved with his accomplices in looting the office of the informant.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the submission of charge sheet and period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Katihar/concerned court, in connection with Falka P.S. Case No. 91 of 2024, subject to the condition laid down under Section



480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

7. Before accepting the bail bond, the learned trial court would ascertain about the criminal antecedents of the petitioner and also ascertain whether recovery of any looted article has been shown from this petitioner. If any other criminal antecedent of the petitioner is found and it comes to notice that recovery of any looted article was made, the bail bond of the petitioner will not be accepted.

(Arun Kumar Jha, J)

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