

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61488 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- PUPRI District- Sitamarhi

Vinod Mahto S/o Late Pachu Mahto R/o Village - Bhup Bhairo, P.S -
Sitamarhi, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-09-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Pupri P.S. Case No. 101 of 2025, registered for the offences punishable under Sections 303(2), 334 of the BNS, 2023.

3. Based upon the written report, the prosecution alleges that on 29.03.2025 a theft was taken place in the e-Rickshaw Agency of the informant. On verification, it has been found that 12 pieces of Eastman Battery, Motor-6 pieces and other articles were stolen away by the thieves through the white coloured Scorpio bearing Registration No. BR30P-3959.

4. Learned Advocate for the petitioner submitted that the FIR has been instituted against unknown thieves and the owner of the vehicle. Later on, one Kamlesh Giri, who is said to



be the owner of the Scorpio vehicle, was apprehended and he confessed the name of the petitioner. However, leading to confessional statement no recovery has been made from the whereabouts of the petitioner. He further submits that save and except the confessional statement, there is no material suggesting the complicity of the petitioner in the crime and despite the fact that the maximum sentence for the alleged offence is only 7 years, the police has not even given the benefit of Section 41 of Cr.P.C. The petitioner undertakes that he will fully cooperate in the investigation and the proceeding of the court, besides the fact that the petitioner bears fair antecedent.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the name of the petitioner has surfaced on the confessional statement of one of the accomplice in causing theft of the subjected article from e-Rickshaw Agency of the informant.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of the allegation and absence of any cogent material, except confessional statement, besides the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court



below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Pupri at Sitamarhi in connection with Pupri P.S. Case No. 101 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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