

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67364 of 2025

Arising Out of PS. Case No.-60 Year-2024 Thana- JHAROKHAR District- East Champaran

1. Vicky Kumar Son of Ramsagar Rai Resident of village - Sripur Kaswa, P.S.- Ghorasahan, District - East Champaran.
2. Ramesh Kumar Son of Achchelal Rai @ Achchelal Ray Resident of village - Sripur Kaswa, P.S.- Ghorasahan, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
		Mr. Hemant Ray, Advocate
For the Opposite Party/s :		Mr. Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-10-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 331(4) and 305 of the BNS.

3. Learned counsel for the petitioners submits that no doubt, the offences for which the instant FIR has been instituted carry punishment of seven years and less but then it is submitted that from perusal of Section 331(4) of the BNS, it would manifest that in certain circumstances, the punishment can exceed seven years. It is further submitted that petitioners are persons with clean antecedent and the FIR has been instituted against unknown by the informant alleging that unknown



accused committed theft of his water pump.

4. Learned counsel for the petitioners submits that FIR was against unknown and the name of the petitioners transpired in the confessional statement of apprehended accused in police custody which does not have any evidentiary value in the eye of law. It is reiterated and submitted that petitioners are not criminals and are persons with clean antecedent and will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Jharokhar P.S. Case No. 60 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. However, if the investigating officer of the case



files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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