

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68165 of 2025

Arising Out of PS. Case No.-13 Year-2022 Thana- BHELDI District- Saran

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Vivek Kumar, aged about 26 years, Gender, Male, Son of Mahendra Prasad
R/O Vill- Akbarpur, P.S.- Rohtas, District- Rohtas- 841311

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Shweta Anand, Advocate

For the Opposite Party/s : Mr.Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-10-2025 Heard Ms. Shweta Anand, learned counsel

appearing on behalf of the petitioner and Mr. Arun Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bheldi P.S. Case No. 13/2022 registered for the offence(s)
punishable under Sections 381 of the Indian Penal Code.

3. As per the allegation made in the FIR, the
informant who is the principal of the school has alleged that
petitioner along with one other person was employed on
28.12.2021 as guards in the school and theft of different gadgets
and school's documents was committed on 10.01.2022 for



which FIR was lodged on 11.01.2022.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner has clean antecedent and he is not connected in any manner with the alleged crime, though he had left the school on 10.01.2022 and on 11.01.2022, FIR was lodged regarding theft of the gadgets and other valuable documents of the school, where the petitioner was employed on the alleged date of commission of offence. Learned counsel has pleaded that other guard was also present in the school and FIR was lodged on 11.01.2022, without mentioning the date in the FIR regarding the actual theft of the school's valuable. 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. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR, I find that the petitioner was employed on 28.12.2021 and he left the school on 10.01.2022 and FIR was lodged on 11.01.2022 in respect of certain valuable documents and gadgets having been stolen. FIR reveals that there were two guards and petitioner was last guard to leave the school on



10.01.2022 and it was subsequently detected that theft was committed. I find that merely on suspicion, the petitioner has been made accused in the present case. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. At this stage, learned counsel appearing on behalf of the petitioner submits that petitioner in order to get rid of criminal prosecution, finds it appropriate to return back some amount to the principal of the school, being innocent.

8. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned JMFC, Saran at Chapra / Concerned Court in connection with Bheldi P.S. Case No. 13/2022, subject to the conditions as laid down under Section 482(2) of the BNSS.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been



stated in paragraph no.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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