

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73252 of 2025

Arising Out of PS. Case No.-115 Year-2023 Thana- MEHSI District- East Champaran

Vinay Kumar, aged about 40 years, Male, Son of Suresh Rai @ Sudish Rai,
R/O Vill.- Pakadi Basarat, P.S.- Sahebganj, Dist.- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Priyesh Kumar, Advocate
For the Opposite Party : Mr. Ajit Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mehshi P.S. Case No. 115 of 2023 dated 22.04.2023 registered for the offence punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution case, four unknown miscreants sitting in a *Swift Dezire* car came to the petrol pump of the informant and asked to fill petrol of Rs. 500/- in the car, thereafter two miscreants came out from the car and snatched his mobile phone and took away 254 litres diesel and 250 litres petrol in gallon on the point of pistol and they also took Rs. 2087/- which was of sale proceed and *Hanumani Locket* from



the neck of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the present case on the basis of the confessional statement of the co-accused, Dhiraj Kumar in Maniyari P.S. Case No. 130 of 2023 which has got no evidentiary value in the eyes of law. No looted article has been recovered from the conscious possession of the petitioner. It is further submitted that till date no T.I. Parade has been conducted by the police. The petitioner has no concern either with the alleged offence or with the co-accused Dhiraj Kumar. It is further submitted that except the confessional statement of the co-accused Dhiraj Kumar, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The petitioner has been remanded in the present case from Kotwa P.S. Case No. 430 of 2023. The charge sheet has already been submitted against the petitioner in the present case. It is further submitted that the other co-accused person, namely, Dhiraj Kumar, on whose confessional statement, the name of the petitioner has come in the present case, has already been granted bail by the Co-ordinate Bench of this Court in Cr. Misc. No.



83815 of 2023 vide order dated 04.01.2024 and the other co-accused Munna Kumar has also been granted bail by a Bench of this Court in Cr. Misc. No. 65078 of 2023 vide order dated 13.10.2023. The petitioner has four criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 08.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Mehsi P.S. Case No. 115 of 2023.

7. The application stands allowed

(Chandra Prakash Singh, J)

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