

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78173 of 2025**

Arising Out of PS. Case No.-104 Year-2025 Thana- BIDUPUR District- Vaishali

Chandan Sah S/o Jairam Sah Resident of Village- Rajasan, P.S.- Bidupur,  
Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      03-12-2025                      Heard the learned counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bidupur P.S. Case No. 104 of 2025, F.I.R dated 10.02.2025 registered for the offences punishable under Sections 303 (2) and 324(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, based on a written report by Electrical Executive Engineer Ratnesh Kumar, who informed Bidupur Police Station on 30.12.2024 that during an inspection on 29.12.2024 at village Chakbibi, miscreants had cut and stolen about 1 km of wire from Tower No. 198, causing damage to the tower and an estimated loss of Rs.4,36,453 to the



electricity department.

4. Learned counsel for the petitioner by taking this Court to F.I.R. submits that F.I.R. is against unknown persons and the name of this petitioner has transpired on the basis of confessional statement of co-accused Mithilesh Kumar in Bidupur P.S. Case No.852 of 2024 registered on 23.02.2025 in which it was confessed before the Police that he along with his associate stole the wire and sold to one Ranjay Kumar, co-accused, while the fact is that the petitioner never ran any scrap shop nor he participated in the alleged crime or bought any stolen property. The petitioner is a man of means earning his livelihood by doing labour services. It has further been submitted that though he has three criminal antecedent, the petitioner is on bail in two of the said cases and one case is pending for consideration.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the petitioner's name has merely transpired on the basis of confession of one Mithilesh Kumar, who is said to have made such statement in one another case but the petitioner is in no way related to the said incident. Accordingly, this Court is



inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 104 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

**(Ajit Kumar, J)**

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