

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90318 of 2024

Arising Out of PS. Case No.-480 Year-2024 Thana- BANIAPUR District- Saran

Vikki Kumar S/O Yogendra Ray Resident of village - Murarpur, Police
Station -Janta Bazar, District- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Baniyarpur P.S. Case No. 480 of 2024 instituted for the offences
under Sections 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that, one stolen
motorcycle has been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case on the basis of confessional statement of
the co-accused Rajan Kumar. No incriminating article has been
recovered from the conscious possession of the petitioner.



Learned counsel further submitted that petitioner has got no concern with the motorcycle in question and the same has not been recovered from the house of the petitioner but outside the house of the petitioner. There is no compliance of Section 103 of the BNSS. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.10.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Baniyarpur P.S. Case No. 480 of 2024.

(Rudra Prakash Mishra, J)

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