

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2551 of 2025

Arising Out of PS. Case No.-327 Year-2023 Thana- BIRAUL District- Darbhanga

Praveen Kumar @ Praveen Yadav Son of Naresh Yadav Resident of Village-
Kiratpur, P.S.- Jamalpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Nath Yadav, Adv.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

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

ORAL ORDER

2 27-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Biraul
P.S. Case No. 327 of 2023 instituted for the offences under
Section 379 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of being involved in the theft of Informant's
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is not named in the F.I.R. as the same has been
instituted against the unknown. The name of the petitioner has



surfaced in this case on the basis of the confessional statement of the co-accused Sunil Kumar @ Sunil Kumar Yadav. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The alleged theft motorcycle has been recovered from the house of the co-accused Sunil Kumar. The petitioner has no concern with the alleged occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedent and is languishing in judicial custody since 08.07.2023 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Biraul P.S. Case No. 327 of 2023, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family



members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

