

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36002 of 2026**

Arising Out of PS. Case No.-415 Year-2020 Thana- ATRI District- Gaya

Vinay Rajvanshi S/o Bhoma Rajvanshi @ Sidheshwar Rajvanshi @ Umesh  
Rajvanshi R/o Village - Arai Tola - Dinesh Nagar, P.S - Atri, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Suresh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      01-07-2026      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Atri P.S. Case No. 415 of 2020 for the offences punishable under Sections 379 and 413 of the Indian Penal Code.

3. The prosecution case in brief is that one Sunil Kumar resident of village- Ahiyapur, P.S- Sarmera, District- Nalanda submitted written statements on 23.11.20 before the S.H.O. Atri P.S. alleging therein that on 18.11.20 the informant went to Roala balughat to load sand on his tractor bearing Engine no NKC 6RAJ0004, chasis no M9KATAEDBKVDO 1116, but due to late night could not load sand and was returning to his village- Gobindpur with empty tractor in the meantime on



the way at Tapasvinagar near a Line Hotel stopped his tractor and started to take meal outside line Hotels as it was closed and kept key of his tractor on a desk and slept and when awoke saw key of tractor missing and also saw his tractor missing. It is submitted that he tried his best to search, but could not find out his tractor.

4. Learned counsel for the petitioner submits that initially the petitioner was not named in the FIR. Learned counsel for the petitioner next submits that petitioner has falsely been implicated in the present case on the basis of disclosure made by co-accused person, namely, Saheb Rajbanshi and except the aforesaid nothing has come during the investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one but fairly submits that petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances and the fact that initially the petitioner was not named in the FIR and the name of the petitioner has transpired on the basis of



disclosure made by co-accused person, namely, Saheb Rajbanshi and also the fact that nothing has been recovered from the conscious possession of the petitioner, let the petitioner, above named, in the event of 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 J.M.F.C., Gayajee in connection with Atri P.S. Case No. 415 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Gaurav Sinha/-

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