

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32504 of 2026

Arising Out of PS. Case No.-331 Year-2024 Thana- NAWADA MUFFASIL District- Nawada

Avinash Giri @ Vikki @ Baba S/o Late Upendra Nath Giri, Resident of
Village - Nagdiha, PS - Baniapur, District - Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Anjani Parashar, Advocate
For the State	:	Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Nawada Mufassil P.S. Case No. 331 of 2024, dated 24.08.2024, registered for the offences punishable under Sections 305(e) and 334(1) of the B.N.S., 2023.

3. As per the prosecution case, Rs. 29,48,000/- was stolen from an ATM by unknown thieves and the name of the petitioner transpired during investigation for being involved in the said occurrence.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. There is no substantive material to show the involvement of the petitioner in the alleged occurrence. No recovery of any stolen cash has been made from



this petitioner. On mere probability, the petitioner has been apprehended in this case due to the presence of his mobile number in the vicinity of the crime scene. Learned counsel next submits that petitioner is having antecedent of two cases and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 16.12.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material against the petitioner and also considering his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Nawada / concerned Court, in connection with **Nawada Mufassil P.S. Case No. 331 of 2024**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The learned 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, i.e. he has more than two criminal antecedent, the bail bond of the petitioner will be liable to be cancelled by the learned trial Court. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for the purpose of or in name of verification.

(Arun Kumar Jha, J)

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