

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59928 of 2025

Arising Out of PS. Case No.-242 Year-2024 Thana- NAGAR District- Vaishali

=====

Satish Kumar Son of Dilip Singh R/O Vill- Bishunpur Paltu, P.S.- Vaishali,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Tej Pratap, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 09-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 379 of the Indian Penal
Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that unknown thief committed theft of his motorcycle.

4. Learned counsel for the petitioner submits that FIR
is against unknown and the name of the petitioner transpired in
the confessional statement of apprehended accused in police
custody, which does not have any evidentiary value. It is also



submitted that the offence for which the instant FIR has been instituted carries punishment of seven years and less but then no notice under Section 41A Cr.P.C. was given to the petitioner. It is next submitted that the Hon'ble Division Bench of this Court in the case of **Mohammad Raja vs. State of Bihar & Anr** in **Criminal Miscellaneous No.65700 of 2025** has held by an order dated 16.12.2025 that anticipatory bail is maintainable, even if, notice under Section 41(1)/35(3) of the Cr.P.C./B.N.S.S. is given to the accused. It is thus, submitted that anticipatory bail application is maintainable. It is reiterated and submitted that name of the petitioner transpired in the confessional statement of apprehended accused in police custody, which does not have any evidentiary value.

5. Learned APP opposes the anticipatory bail application.

6. Considering the submissions made on behalf of learned counsel for the petitioner, let petitioner, above named, in the event of his arrest or surrender within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Hajipur Town



P.S. Case No.242 of 2024, subject to the conditions laid down
under Section 438(2) Cr.P.C.

(Satyavrat Verma, J)

Sanjay/-

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

