

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81517 of 2025

Arising Out of PS. Case No.-471 Year-2024 Thana- TARAIIYA District- Saran

1. Vivek Kumar @ Vivek Sahni Son of Vinod Sahni Resident of Village - Murlipur, P.S.- Taraiya, District - Saran.
2. Pawan Kumar @ Pawan Sahni Son of Lakhan Sahni Resident of Village - Murlipur, P.S.- Taraiya, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anjani Kumar
	Mr. Santosh Kumar
	Mr. Prashant Ray
	Mr. Jayant Kumar Ray
	Mr. Jagjit Roshan
For the Opposite Party/s :	Mr. Nagendra Prasad

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-01-2026 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 305, 331(4) of the B.N.S.

3. The learned counsel for the petitioners submits that the petitioners have antecedent of two cases and the informant alleges that unknown accused committed theft in his house in the intervening night of 17/18.12.2024 by breaking the ventilator of the room.

4. The learned counsel for the petitioners submits that



the FIR was against unknown and the name of the petitioners transpired in the confessional statement of Adarsh in police custody, which does not have any evidentiary value. It is also submitted that no doubt, petitioners have antecedent of two cases but in both cases their names transpired based on the confessional statement of Adarsh. It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar, local person, secret information and confessional statement in a mechanical manner without holding a proper investigation. It is also submitted that once an accused is implicated in a case relating to theft, the police starts implicating mechanically. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence. It is also submitted that petitioner no.1 is aged about 19 years and petitioner no.2 is aged about 24 years and are students.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on



anticipatory bail on their furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Taraiya P. S. Case No.471 of 2024, subject to the conditions laid down under Section 482(2) of the B.N.S. with a further condition that one of the bailors of the petitioners shall be their respective fathers Vinod Sahni and Lakhan Sahni.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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