

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57656 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- BIHTA District- Patna

Shivam kumar @ Shubham Kumar, Male, aged about 18 years, son of Lalit Ray @ Lalit Kumar, resident of village- Kanhauli, PS- Bihta, District- Patna.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 16-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Bihta PS Case No.94 of 2024 dated 25.01.2024, instituted under
Sections 379 of the Indian Penal Code.

3. The prosecution case, in short, is that the
motorcycle of the informant was stolen by some unknown
miscreants.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. Further submission is that for
the same occurrence, two FIRs have been lodged. Bihta PS Case
No.128 of 2024 has been lodged upon recovery of the stolen
motorcycle from the house of Anshu Kumar, who made
confessional statement before the police and on that basis the



petitioner has been made accused in this case. Further submission is that petitioner has been granted bail in Bihta PS Case No.128 of 2024 vide Cr. Misc. No.37434 of 2024 by a co-ordinate Bench of this Court. Lastly, it is submitted that two criminal cases are pending against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Danapur, Patna, in Bihta PS Case No.94 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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

