

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4348 of 2025

Arising Out of PS. Case No.-310 Year-2024 Thana- SHEOHAR District- Sheohar

Ombabu S/o Manoj Kumar R/o village - Kasturiya, P.S - Tariyani, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Sheohar P.S. Case No. 310 of 2024 instituted for the offences under Sections 317(4), 317(5), 111(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that one motorcycle was recovered from the accused persons including the petitioner but they failed to produce the valid documents regarding the same.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that petitioner was only the



passerby and his name has been transpired in this case only on the basis of suspicion. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that the vehicle in question does not belong to the petitioner. There is no compliance of Section 103 of the BNSS. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.11.2024 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sheohar P.S. Case No. 310 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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