

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2072 of 2025

Arising Out of PS. Case No.-364 Year-2024 Thana- KHUSRUPUR District- Patna

=====

Satish Kumar, S/O Akhilesh Paswan @ Buta, Resident of Village- Katauna,
Police Station- Khushrupur, District- Patna Petitioner/s
Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-02-2025 Heard Mr. Jay Ram Prasad, learned counsel for the
petitioner and Mr. Binod Kumar, learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Khushrupur P.S. Case No. 364 of 2024 dated 16.08.2024
registered for the offences punishable under Sections 317(4) and
3(5) of the Bharatiya Nyaya Sanhita.

3. The main submissions advanced by petitioner's
counsel are that the instant matter relates to the recovery of a
motorcycle from the house of the petitioner and the same is
suspected to be a stolen motorcycle, though the alleged motorcycle
was recovered from the house of this petitioner but neither the
petitioner nor his family members had any knowledge of the seized
motorcycle being a stolen object and petitioner's co-villager,
namely, Bhakti Kumar and his known Gaurav Kumar and Amar Raj
came at the house of the petitioner with the alleged motorcycle and
they wanted to keep the motorcycle inside the house of this



petitioner for some purpose and in the meantime, the police party arrived and all these facts were revealed by the petitioner's family members which find place in the FIR itself. It is further submitted that the petitioner has not remained involved in any occurrence relating to theft or receiving of stolen motorcycle and his past history is clean. Learned counsel further submits that after the recovery of the alleged motorcycle, no one came before the police alleging the theft of his motorcycle, so, in such a situation, there is no material to show the seized motorcycle as being a stolen object. Learned counsel further submits that the petitioner is a young person.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions advanced by petitioner's counsel mainly taking into account the petitioner's young age and his fair and clean antecedent, this Court is inclined to grant the relief of anticipatory bail to him. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Khushrupur P.S. Case No. 364 of 2024, subject to the conditions as laid down under Section 482(2)



of the B.N.S.S., on the following conditions : -

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial court and shall remain physically present as directed by the trial court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial court.

(2) If the petitioner tampers with the evidence or the witnesses then the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(4) The trial court will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the trial court shall take strict action against him by cancelling his bail bond.

(Shailendra Singh, J)

annu/-

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

