

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4399 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- JHAROKHAR District- East Champaran

Amit Kumar S/o Late Kamod Prasad @ Late Kamod Prasad Kushwaha R/o
Village- Pathiwa, P.S.- Jharokhar, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Jharokhar P.S. Case No. 41 of 2024 instituted for the offence
under Sections 111, 317(5) & 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. Prosecution case in short is that on a tip off police
party raided in the house of the petitioner and on search there is
recovery of one carburetor from his possession and on the
disclosure made by him, one motorcycle is said to have been
recovered from co-accused person.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15-11-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel submits that petitioner has become the victim of the circumstances. It is submitted that fact of the matter is that one Rohit Kumar has kept said carburetor in the house of the petitioner, which is evident from the FIR itself. The petitioner has no knowledge about the carburetor being stolen article. There is no compliance of Section 103 of the BNSS, 2023. It is lastly submitted that police after completion of investigation has submitted charge sheet in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Jharokhar
P.S. Case No. 41 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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