

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4694 of 2025

Arising Out of PS. Case No.-63 Year-2020 Thana- RAGHOPUR District- Vaishali

Kanchan Rai @ Kanchan Ray @ Kanchan Kumar, aged about 30 years, Male,
Son of Ishwar Ray @ Ramaishwar Ray, R/O village- Jafrabad Dih, P.S.-
Rathopur, (Rustampur OP), Dist- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dilip Kumar Singh, Advocate
For the Opposite Party : Mr. Satya Nand Shukla, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Raghopur (Rustampur O.P.) P.S. Case No. 63 of 2020 registered
for the offences punishable under Section 414 read with Section
34 of the I.P.C.

3. As per the prosecution case, on 03.05.2020 at 8.30
P.M., the informant had received a secret information that the c-
accused Satish Rai, Vicky Sah, Golu Kumar, Sanjeet Kumar,
Sonu Kumar Das, Sanjeet Kumar, Saroj Rai, Kanchan Rai
(petitioner) and Vijay Rai have kept stolen motorcycles in the
huts near their houses and indulged in buying and selling stolen
motorcycles. On which, the informant alongwith the police



party raided the spots and recovered a huge number of motorcycles from the places of the petitioner and other co-accused persons. The search of the house and nearby places of the petitioner led to recovery of one read coloured Hero Glamour Motorcycle without number plate, one red coloured Hero Passion Pro without number plate, one black coloured Bajaj Pulsar Motorcycle with Registration No. BR2Q4148 and one black coloured Hero Passion Pro with registration No. BR06AU-4211 from the Soti of the river on the south side of the petitioner's house.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that no incriminating article has been recovered from the possession of the petitioner rather the alleged stolen motorcycles have been recovered from the Soti of the Ganga River. The petitioner has no connection either with the stolen motorcycles or with the co-accused persons. The name of the petitioner has surfaced in the present case on the basis of disclosure made by local Chaukidar. There is no statutory compliance of Section 103 of the B.N.S.S., 2023. The petitioner was not present on the alleged date and time of occurrence at his house rather he is a labourer and he was



working at Hisar (Haryana) for earning his livelihood. The petitioner has been remanded in the present case from Agamkuan P.S. Case No. 354 of 2018. It is further submitted that other co-accused person, Sonu Kumar Das @ Sonu Kumar has already been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 7327 of 2021 under order dated 25.06.2021. The petitioner has three criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 18.10.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on 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 learned A.C.J.M.-15, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 63 of 2020 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which



on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are
liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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