

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5550 of 2025

Arising Out of PS. Case No.-823 Year-2024 Thana- BIHAR District- Nalanda

Raushan Kumar S/o Late Birendra Pandit, Resident of village - Bakra, Jamui,
P.S. - Giriyak, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 19-02-2025 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks bail in connection with Bihar Sharif P.S. Case No. 823 of 2024, FIR dated 02.11.2024, registered for the offences punishable under Sections 305(B) and 317(2) of the BNS, 2023.

3. The prosecution case as emerges from the FIR is that the co-accused persons namely, Md. Aziz and Md. Jishan were apprehended with the stolen motorcycle and name of petitioner transpired in the confessional statement of the co-accused namely, Md. Raja @ Sadab.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from



the possession of the petitioner and co-accused persons have been found with the alleged stolen property and petitioner has nothing to do with the alleged offence.

5. He further submits that the petitioner has been languishing in jail since 02.11.2024.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

7. It has also been stated in paragraph no. 2 of the bail petition that the petitioner has not moved before this Court earlier either for anticipatory bail or regular bail.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties on the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif, in connection with **Bihar Sharif P.S. Case No. 823 of 2024** on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer / Court as and when required.



(ii) The petitioner will undertake that investigation / trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the Court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iv) In case, it is brought to the notice of the Court below that the petitioner has criminal antecedents, learned Court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the Court below that statement regarding previous bail petition is wrong, learned Court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

Ravi /
Shahnawaz/-

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