

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7396 of 2025

Arising Out of PS. Case No.-67 Year-2024 Thana- PURNAHYA District- Sheohar

Shivam Kumar @ Chotu @ Chhotu Son of Shambhu Kunwar @ Shambhu Singh @ Shambhu Kuwar Resident Of Village- Kushmari, Ps -Riga, Dist-Sitarmarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dashrath Mehta, 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 Purnahiya P.S. Case No. 67 of 2024 instituted for the offences under Sections 317(4), 317(5), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the accused persons including this petitioner were apprehended with a motorcycle but they failed to produce valid documents regarding the same.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the motorcycle. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.07.2024 and has five criminal antecedents. The co-accused person has already been granted bail by this Court vide order dated 04.12.2024 passed in Cr. Misc. No. 83343 of 2024.

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 Purnahiya P.S. Case No. 67 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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