

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7609 of 2025

Arising Out of PS. Case No.-306 Year-2024 Thana- SHEOHAR District- Sheohar

Ajay Kumar S/O Krishnanandan Ray Resident of Village- Jahanfipur, P.S.-
Shayampur Bhatahan, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar, Adv.
For the Opposite Party/s : Mr.Nagendra Prasad, APP

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

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sheohar
P.S. Case No. 306 of 2024 instituted for the offences under
Section 303(2) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the bike of the Informant
bearing Regd. No. BR55E2873 was stolen from the door of his
house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence at all as
alleged against him rather he has falsely been implicated in the
present case with a view to cause harassment. The petitioner is
not named in the F.I.R. as the same was lodged against



unknown. The name of the petitioner has transpired in this case in course of investigation on the basis of the confessional statement of the co-accused person before the police which has no evidentiary value in the eye of law. Except confessional statement, there is nothing against the petitioner. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioner or from his house rather the looted motorcycle has been recovered from the house of the co-accused Subodh Kumar. Learned counsel further submitted that petitioner has got no concern with the alleged motorcycle or the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 06.11.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. From the impugned order, it appears that the petitioner was apprehended from the house of the co-accused Subodh Kumar in course of raid conducted by the police party and the police also recovered the alleged motorcycle from the said house. The petitioner has also confessed his guilt of being involved in the alleged occurrence.



6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Sheohar P.S. Case No. 306 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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