

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8670 of 2025

Arising Out of PS. Case No.-703 Year-2024 Thana- HISUWA District- Nawada

Munna Yadav S/O Basdeo Yadav R/O Vill.- Parsatari, P.S.- Chauparan, Dist.-
Hazaribagh, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 14-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Hisua
P. S. Case No. 703 of 2024, dated 19-11-2024, instituted for
offences punishable under Section 303(2) of the Bhartiya Nyaya
Sanhita, 2023.

3. The prosecution case, in short, is that on
19.11.2024, the informant's borrowed motorcycle was stolen
from outside his office. GPS tracking showed the bike was at
Rengana Tand, where the informant saw his co-villager Saurav
Choudhary, who ran away as soon as he saw the informant.
Later, CCTV footage showed three people stealing his bike.
Two of them were identified as Rahul Kumar and Aashish
Kumar. When confronted, Rahul, Ashish, and Suraj Kumar tried



to escape but were caught and handed over to the police. The informant suspects they committed the theft.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner is not named in the First Information Report (FIR). The petitioner has been implicated in this case on the basis of the confessional statement of an apprehended person, who disclosed the petitioner's name, which led to the recovery of the Bullet motorcycle from the petitioner's garage. It is submitted that the said Bullet motorcycle was stolen by three persons, whose photographs were captured in the CCTV. It is next submitted that the petitioner had no knowledge of the stolen motorcycle and had purchased the same from the apprehended accused persons. He has been in custody since 03.12.2024 and has eight criminal cases pending against him. The charge sheet has been submitted in this case.

5. Learned Additional Public Prosecutor (APP) for the State has vehemently opposed the prayer for bail by filing a counter affidavit. It is submitted that the petitioner has seven criminal cases pending against him. Further submission is that the petitioner is a hardened criminal in the locality and is



involved in purchasing stolen motorcycles.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Nawada, in connection with Hisua P. S. Case No. 703 of 2024, subject to the following condition: (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that 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 and (v) that the petitioner will appear before the SHO of concerned PS every fortnightly to mark his



attendance till conclusion of the trial.

7. The application stands allowed.

(Khatim Reza, J)

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