

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13383 of 2025**

Arising Out of PS. Case No.-321 Year-2024 Thana- MADANPUR District- Aurangabad

Om Prakash Kumar @ Bhura S/o- Binod Yadav Village- Jasoia Ps- Mali Dist-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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

ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Madanpur P.S. Case No. 321 of 2024 registered for the offences punishable under Sections 112, 317(5), 338, 336(3) and 340(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that one stolen motorcycle has been recovered from the possession of co-accused Ritesh Kumar. It is further alleged that the said apprehended co-accused persons disclosed that the aforesaid motorcycle was purchased by him from co-accused, namely, Ranjay Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



Petitioner's name surfaced on the confessional statement of co-accused, namely, Ravindra Kumar. Nothing has been recovered from the possession of the petitioner. There is no compliance of Section 103 of the BNSS, 2023. Petitioner bears one criminal antecedent. Other co-accused has been granted anticipatory bail by this Court vide order dated 10-01-2025, passed in Cr. Misc. No. 89427 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Madanpur P.S. Case No. 321 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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