

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14800 of 2025

Arising Out of PS. Case No.-297 Year-2024 Thana- SIRDALA District- Nawada

Chhotu Chaudhary @ Dharmendra Chaudhary S/O Arjun Chaudhary R/O
Village- Pidiya, P.S- Fatehpur, Distt.- Gaya, at present Resident of Village-
Chaili, P.S- Sirdala, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 14-05-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with Sirdala
P.S. Case No. 297 of 2024 registered for the offences under
Sections 317(5), 318(4) and 61(2) of Bhartiya Nyaya
Sanhita (in short 'BNS').

3. The petitioner is named in the First Information
Report and is in custody since 05.10.2024.

4. Allegation against the petitioner is to involve in
dealing with stolen property where during search three
stolen motorcycles were alleged to be recovered from the
house of petitioner.



5. It is submitted by learned counsel appearing on behalf of the petitioner that name of this petitioner transpired on the basis of certain secret inputs and, moreover, alleged stolen motorcycles appears to be recovered from the joint house of the petitioner and same fact also surfaced during course of investigation. It is submitted that compliance of Section 103(5) of the Bhartiya Nagrik Suraksha Sanhita (in short 'B.N.S.S.') has not been followed in the present case. It is also submitted that similarly situated co-accused has been granted bail by the Cr-ordinate Benches of this Court in Cr. Misc. No. 85449 of 2024, Cr. Misc. No. 79040 of 2024 and Cr. Misc. No. 80364 of 2024.

6. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

7. On perusal of FIR , impugned order and other materials available on record, it appears that, name of the petitioner transpired on the confessional statement of the co-accused, no recovery from the conscious possession of the petitioner, petitioner is in custody since 05.10.2024, accordingly, accordingly, abovenamed petitioner is directed



to be released on bail, furnishing bail bond of Rs. 10,000/-
(Rupees Ten Thousand only) with two sureties of the like
amount each to the satisfaction of learned Judicial
Magistrate, 1st Class, Nawada/concerned court, in
connection with Sirdala P.S. Case No. 297 of 2024.

(Ramesh Chand Malviya, J)

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