

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19434 of 2025**

Arising Out of PS. Case No.-155 Year-2024 Thana- Panchanpur District- Gaya

Kaushal Kumar Son of Chanderdeep Yadav Resident of Village - Kehora,
Police Station - Panchanpur in the District of Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary
For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 21-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 317(2), 336(3) and 338 of the
B.N.S.

3. The allegation in the First Information Report is
with regard to the fact that the petitioner was found in
possession of a stolen motorcycle bearing Registration No. BR
02BK/1611 and he failed to produce any documents in respect
of the said vehicle and on query, he disclosed that he had
purchased the said vehicle at the cost of Rs. 20,000/-. It was
further found that the original registration number of the said
vehicle was a different one and the present vehicle was stolen



one, the number plate of which had been changed.

4. Learned counsel for the petitioner submits that the petitioner is not concerned with the said motorcycle and rather he has been wrongly framed in the present case. It has been pointed out that while in the FIR, the time of intercepting the petitioner along with the motorcycle has been given as 10:00am on 26.11.2024, the seizure list which is also available on record would show that the time of seizure is 3:20pm and thus there is a substantial lapse of time in the preparation of the seizure list which has not been explained by the prosecution, much less there being a plausible explanation. It has further been pointed out that there is no independent witness to the seizure list and on account of the same, the mandatory provisions of search and seizure have also been violated. The petitioner is in custody since 27.11.2024 and has no criminal antecedent and charge sheet in the case has already been submitted.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond 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 Panchanpur P.S. Case No. 155 of 2024.

(Soni Shrivastava, J)

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