

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19157 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- YADOPUR District- Gopalganj

Sarwan Kumar, aged about 21 years, Male Son of Lalji Giri, Resident of
Village- Awadh Nagar, Bishunpur P.S.- Jadopur District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

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

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

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Jadopur P.S. Case No. 178 of 2024 instituted for the offences
punishable under Section 317(5) of the B.N.S., 2023.

3. As per the prosecution case, one theft Splendor Plus
Motorcycle bearing Registration No. UP-52AB-5977 has been
recovered from the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere
suspicion. He submits that nothing has been recovered from the
conscious possession of the petitioner. He further submits that
one stolen motorcycle has been recovered on spot in presence of



both independent witnesses. He next submits that from perusal of the seizure list, it is evident that the recovery was made from Jadopur Bazar situated at Bagahan More under Jadopur Police Station. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 04.11.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-VIII, Gopalganj dated 31.01.2025, it appears that petitioner is named in the FIR. From perusal of the records, it also appears that on the basis of written report of the informant Budhadeo Uraon, FIR has been lodged under Section 317(5) of the B.N.S., 2023 against three accused persons including the present petitioner. It also appears that one stolen motorcycle has been recovered from all three joint possession of the accused persons including the present petitioner. Similarly situated co-accused person namely Rajan Kumar has been granted regular bail by a Bench of this Court in Cr. Misc. No. 17033 of 2025 vide order dated 11.04.2025, so considering all these aspects of the matter that petitioner has no criminal antecedent as stated in para 3 of the petition, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned A.C.J.M.- I, Gopalganj in connection with Jadopur P.S. Case No. 178 of 2024.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

