

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18272 of 2025

Arising Out of PS. Case No.-279 Year-2024 Thana- JALALPUR District- Saran

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Dhuman Giri @ Dhuman Kumar @ Dhuman Kumar Giri S/O Swaminath @
Swaminath Giri Resident of village- Gamharia Ke Mathiya, Russi, P.S.-
Jalalpur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jalalpur
P.S. Case No. 279 of 2024 instituted for the offences under
Sections 318(4), 338, 336(3), 317(2) of the B.N.S., 2023.

3. As per prosecution case, the police has arrested the
petitioner along with the stolen motorcycle.

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
merely on the basis of suspicion. The petitioner is not the owner
of the alleged motorcycle and, in fact, was not riding the same.
The petitioner has no concern with the alleged motorcycle.



There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 17.12.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The petitioner was arrested by the police along with the stolen motorcycle and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Jalalpur P.S. Case No. 279 of 2024.

(Rudra Prakash Mishra, J)

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