

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20951 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- SAHAJITPUR District- Saran

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Amit Kumar S/O Binod Singh Resident of Village- Piparpati @ Piparpanti,
P.S.- Sahajitpur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sahajitpur P.S. Case No. 2 of 2025 instituted for the offences
under Sections 303(2), 317(2), 317(4), 317(5), 3(5) of the
B.N.S., 2023.

3. As per prosecution case, the police has recovered
one stolen motorcycle from the house of the petitioner. It is
further alleged that on the disclosures made by the petitioner,
the police reached at the house of the co-accused Haresh Kumar
and, on search, recovered two stolen motorcycles from his
house.

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. He submits that the petitioner has no concern either with the alleged occurrence or with the recovered motorcycles. He further submits that the petitioner had purchased the motorcycle from the co-accused Haresh Kumar after giving him consideration amount and he was completely unaware that he has purchased the stolen motorcycle and the petitioner has been made victim of circumstance. 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 one criminal antecedent in which he is on bail and is languishing in judicial custody since 11.01.2025 without any rhymes or reason. Charge-sheet has been submitted in this case.

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 police has recovered a stolen motorcycle from the house of the petitioner.

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, 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 Sahajitpur P.S. Case No. 2 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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