

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22960 of 2025

Arising Out of PS. Case No.-114 Year-2021 Thana- CHAPRA TOWN District- Saran

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Anshu Rai @ Anshu Kumar, aged about 25 years, Male, son of Raju Rai @ Raju Kumar, R/O Mohalla- Chhota Telpa Goriya Toli, P.S.- Chapra Town, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Maheshwar Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 23-07-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Chapra Town PS Case No.114 of 2021 dated 21.02.2021, instituted for the offence punishable under Sections 414, 401/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the police, on a secret information, raided the house of co-accused, Aman Kumar, and arrested the co-accused in connection with the theft of motorcycles and on the basis of his confessional statement, the house of the petitioner was raided by the police from where two stolen motorcycles kept in front of the house of the petitioner were recovered.



4. Learned counsel for the petitioner submits that co-accused, Aman Kumar @ Kallu Rai was apprehended at the spot and he disclosed the name of the petitioner and others. He further disclosed that the accused persons had sold the stolen motorcycles in Arrah and UP. The petitioner was not arrested at the spot. It is also submitted that nothing has been recovered either from conscious possession or from the house of the petitioner. The police has recovered the motorcycles kept in front of the house of the petitioner. Further submission is that the petitioner is in custody since 05.02.2025 and three criminal cases are pending against him and he is on bail in all the three cases.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-XI, Chapra, in Chapra Town PS Case No.114 of 2021, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason,



his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail, and (v) that the petitioner within two weeks after his release from the judicial custody shall appear before the SHO of local PS along with a copy of this order and thereafter shall appear every fortnightly before him to mark his attendance till the framing of charge in the present case.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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