

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20883 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- AMNAUR District- Saran

Umesh Giri @ Putul Giri, Son of Golha Giri, Resident of Village - Gosakhap,
P.S.- Amnour, District - Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

Ms. Mili Kumari, Advocate

For the State : Mr. Anil Kumar Singh No.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 13-08-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2.The accused/petitioner seeks bail in connection with Amnour P.S. Case No.8 of 2025 registered for the offences punishable under Sections 317(5), 317(4), 338, 336(3), 340(2) of Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3.The accused/petitioner is not named in the FIR and is in custody since 18.01.2025.

4. Allegation against the petitioner is to have in possession of one stolen motorcycle bearing Registration No.BR 011-3110.

5. It is submitted by learned counsel appearing for



the petitioner that the motorcycle in issue was recovered from a hut, which belongs to this petitioner, which was opened from all sides and as such accessible by general public. It is submitted that in view same, it cannot be said that recovery was made from conscious physical possession of this petitioner. It is further submitted that one of the reason for implication of this petitioner in present occurrence is his criminal antecedents, as he found involved in five more criminal cases but all of it was different in nature, where in all cases, he is on bail. While concluding argument, it is submitted that even the seizure list appears disputed for the reason that same is not supported by independent witnesses.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as *prima facie* recovery of stolen motorcycle not appears to be made from conscious physical possession of this petitioner, where the seizure list also appears not supported by independent witnesses, accordingly, the petitioner, above-named, is directed to be



released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Amnour P.S. Case No.8 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

Sanjeet/-

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