

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31574 of 2025

Arising Out of PS. Case No.-986 Year-2023 Thana- ARA NAGAR District- Bhojpur

Roushan Lal @ Rahul Lal S/O Jawahar Lal, Resident of village- Badki Singhi
P.S.- Ara Town, District – Bhojpur. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Choudhary, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 22-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. In view of submission, clerical error of para-4(i)

regarding Sections of the offence of supplementary affidavit and

defect(s) as pointed out by the office be correct during the course

of day itself.

3. The petitioner seeks bail in connection with Ara Town

P.S. Case No. 986/2023, registered for the offence under Section

379 of the Indian Penal Code.

4. The accused/petitioner is not named in the F.I.R. and

is in custody since 11.12.2023.

5. As per FIR, one motorcycle of the informant bearing

registration no. BR035-9800 was stolen by some unknown

persons on 07.12.2023, while the informant visited the marriage

ceremony of his friend's sister.



6. Learned counsel appearing on behalf of the petitioner submitted that the recovery of motorcycle was not made from conscious physical possession of this petitioner, rather it appears that the recovery was made from the house of the petitioner, which is occupied by different adult family members. It is submitted that the compliance of Section 100(4) of Cr.P.C. regarding search of premises not appears followed in present case. It is further submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, petitioner found involved in three more criminal cases, where he is on bail.

7. Learned APP opposed the prayer of bail.

8. Considering the aforesaid factual submissions and by taking note of fact *prima facie* with aforesaid accusation, where the maximum sentence is of three years, the petitioner remains in custody for about two years i.e. since 11.12.2023, coupled with the fact that investigation of this case is already completed, accordingly, petitioner above named, is directed to be released on bail in connection with Ara Town P.S. Case No. 986/2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Bhojpur at Ara/concerned Court, subject
to the conditions as mentioned under Section 437(3) of the
Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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