

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26046 of 2025**

Arising Out of PS. Case No.-8 Year-2025 Thana- Kavaiya District- Lakhisarai

Lakshman Kumar S/o Late Suresh Saw R/o Village- Ramchandrapur, P.S. -
Pipariya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S. K. Lal, Advocate Mr. Manohar Prasad Singh, Advocate
For the Opposite Party/s :		Mrs. Rina Sinha, APP

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

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Kabaiya P.S. Case No. 08 of 2025, instituted for the offences
punishable under Sections 303(2), 317(4) and 318(2) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, the petitioner
is involved in theft of motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner
also submits that the petitioner is not named in the FIR. Name
of the petitioner has transpired in this case on the basis of



confessional statement made by co-accused person and the same has got no evidentiary value. It is next submitted that no recovery of any stolen motorcycle has been made from the possession of the petitioner. The petitioner is in custody since 11.01.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 30.04.2025 passed in Cr. Misc. No. 24127 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kabaiya P.S. Case No. 08 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

