

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27487 of 2025

Arising Out of PS. Case No.-646 Year-2024 Thana- CHAPRA TOWN District- Saran

Manjay Kumar @ Manjay Kumar Rai S/o Ramchandra Rai @ Mal Babu R/o
Village- Shavnigri Chapra, P.S.- Muffasil, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner as well as the
counsel appearing for the respondent-State.

2. It is the first regular bail application submitted by the petitioner who has been arrested in connection with Chapra Town P.S. Case No. 646 of 2024 dated 28.10.2024 for the alleged offences punishable under Section 303(2) of the Bharatiya Nyaya Sanhita.

3. According to the case of prosecution, on 27.10.2024 some unknown persons stolen the motorcycle of the informant Mukesh Kumar Rai. On the basis of information given by him offences was registered against the unknown persons. During course of investigation the said stolen motorcycle has been seized from co-accused Shailendra Kumar Yadav. Subsequently, on the basis of confessional statement made by him the present applicant has been also implicated in this case.

4. It is submitted by the counsel for the petitioner that the



petitioner herein is innocent and is falsely implicated in this case only on the basis of confessional statement made by the co-accused Shailendra Kumar Yadav who had already been granted benefit of bail by this Court. He further submits that the petitioner is in custody since 06.01.2025 and he may be granted the benefit of bail.

5. Learned counsel appearing on behalf of respondent-State submits that the petitioner is a habitual thief as there are five previous antecedent of the same nature available against him. Therefore, on this ground only his prayer of bail may be rejected.

6. Considering the submission made by the counsels and further considering the evidence available against the present applicant without further commenting on the other merits of the case, I am of the view that the present applicant should be granted the benefit of bail as the main accused from whom the motorcycle was recovered has already been granted benefit of bail by this Court. Accordingly, the petition is allowed. The petitioner is directed to be released on bail in connection with Chapra Town P.S. Case No. 646 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties, to the like amount each to the satisfaction of the learned C.J.M, Saran at Chapra.

(Arvind Singh Chandel , J)

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