

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28508 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- RAJAPAKAR District- Vaishali

Sanni Kumar @ Kallu @ Kallua S/o Jitendra Patel @ Jitendra Kumar R/o
Village - Kanhauli Patel Nagar, P.S. - Mahua, Dist. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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

ORAL ORDER

2 13-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Raja
Pakar P.S. Case No. 55 of 2025 instituted for the offences under
Sections 338, 336(3), 340(2), 317(4), 317(5), 3(5) of the BNS.

3. Prosecution case, in short, is that, police
apprehended one Sunny Kumar with a stolen motorcycle. It is
further alleged that this petitioner gave the motorcycle in
question to the apprehended co-accused person.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner was not apprehended on the spot. The name of the
petitioner transpired in this case on the basis of disclosure made



by the apprehended co-accused person namely Sunny Kumar who has already been granted bail by this Court vide order dated 07.05.2025 passed in Cr. Misc. No. 27885 of 2025. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered motorcycle. There is no compliance of Section 103 of the BNSS. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.02.2025 and has three criminal antecedents.

5. Learned A.P.P. 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 as also 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Raja Pakar P.S. Case No. 55 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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