

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28415 of 2025

Arising Out of PS. Case No.-299 Year-2024 Thana- KISHANGANJ District- Kishanganj

Sabih Anwar S/o- Faruque Alam @ Faruk Alam Resident of village -Nouranga, ward No. 11, P.S- Kochadhaman, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate
For the State : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Kishanganj P.S. Case No. 299 of 2024, dated 08.08.2024, registered for the offences punishable under Section 303(2) of the B.N.S., 2023.

3. As per allegation, there is allegation of theft of motorcycle.

4. Learned counsel for the Petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that F.I.R. has been lodged against unknown persons and the alleged motorcycle has not been recovered from his possession and the name of the petitioner has transpired in this case only on the basis of suspicion. He further



submits that petitioner is a motorcycle mechanic and some vehicle has been seized from his garage, but the stolen motorcycle has not been recovered from his garage as alleged in this case.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Kishanganj P.S. Case No. 299 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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