

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33966 of 2025

Arising Out of PS. Case No.-527 Year-2024 Thana- DUMRA District- Sitamarhi

Karan Kumar S/o Kanhai Ray Resident of Village- Bhandari, PS- Belsand,
District- Sitamarhi. at present R/o vill - Rasalpur, ward no. 9, P.S.- Dumra,
Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Dumra P.S. Case No. 527 of 2024 lodged on 20.11.2024, for the
offence punishable under Sections 317(4) & 317(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The allegation in the First Information Report is
that the petitioner was apprehended with the stolen motorcycle
without number while the police parties were on evening
patrolling duty. The seizure list was prepared and the FIR was
lodged.

4. Learned counsel for the petitioner submits that as a
matter of fact, the petitioner was picked up from his house on
17.11.2024 at 11 p.m itself and was kept by the police under



illegal confinement for two days and thereafter, the arrest in the case has been shown on 19.11.2024 and the motorcycle in question has been planted by the police which has been recovered from the possession of this petitioner. It has also been submitted that the petitioner had raised this ground of violation of section 58 of the B.N.S.S before the learned concerned court also. It has also been submitted that there is no independent witness to the seizure list which also indicates violation of the mandatory provisions of search and seizure and the false implication of the petitioner in this case. The petitioner is in custody since 21.11.2024 and charge-sheet has been submitted in this case.

5. Learned APP for the State opposes the prayer for bail of the petitioner on the ground that the petitioner has two criminal antecedents of similar nature with regard to which, it has been submitted on behalf of the petitioner that petitioner is on bail in both the cases.

6. Taking into consideration the present facts and circumstances of the case, let the above named petitioner, be enlarged on bail 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, Sitamarhi, in



connection with Dumra P.S. Case No. 527 of 2024, subject to the further conditions that:-

(i) One of the bailors will be a family member/close relative.

(ii) The petitioner would appear before the learned Court concerned on each and every date till the charges are framed and in case of absence on two consecutive dates without sufficient reasons, the learned Court concerned would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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