

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32070 of 2025

Arising out of PS. Case No.-585 Year-2024 Thana- SHERGHATI District- Gaya

Kamaldeep Kumar, S/o- Mathura Ravidas, Resident of Village- Bharari, P.S.- Sherghati, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s: Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Sherghati P.S. Case No. 585 of 2024 instituted for the offences under Sections 303(2) and 317(2) of Bhartiya Nyaya Sanhita, 2023. He has no criminal antecedent.

3. As per the First Information Report on the basis of written report of Assistant Sub-inspector of Police, Aabhansh Kumar, Sherghati Police Station, it is alleged that his blue colour motorcycle which was parked within the premises of the police station was not found. Despite hectic search, the same could not be located, hence, the present FIR was lodged against



the unknown.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has surfaced on the basis of the evidence collected through the CCTV camera placed within the premises of the police station. It is further submitted by learned counsel for the petitioner that no such incident has occurred and the petitioner has falsely been implicated due to personal differences with the police officials. It is also submitted by learned counsel for the petitioner that the recovery of the motorcycle has also falsely been stated to be made from the possession of the petitioner. It is lastly submitted that the petitioner has clean antecedent and he is in custody since 02.12.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner has acted in a daring manner to have committed theft from the premises of the police station.

6. Considering the aforesaid submissions of learned counsel and taking into account the fact that the petitioner has clean antecedent and is in custody since 02.12.2024, the petitioner above named, is directed to be released 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 the learned Additional Chief Judicial Magistrate-I, Sherghati, Gaya in connection with Sherghati P.S. Case No. 585 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be de-



layed for purpose of the same or in the name of
verification.

(Sourendra Pandey, J)

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