

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35760 of 2025

Arising Out of PS. Case No.-166 Year-2024 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Shivam Kumar @ Golu Kumar S/O Pramod Sahni @ Pramod Kumar Sahni
R/O Bakhri, Ward No. 27, Nagar Parishad Bakhri, P.S.- Bakhri, District-
Begusarai. At Present R/O Nawkothi, Ward no. 5, P.s.- Nawkothi, Dist.-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Nakul Kumar Jamuar, Advocate
For the Opposite Party/s :	Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 27-06-2025 Heard Mr. Nakul Kumar Jamuar, learned counsel for

the petitioner and Mr. Anish Chandra, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
20.03.2025 in connection with Nawkothi P.S. Case No.166 of
2024, F.I.R. dated 14.09.2024 for the offences punishable under
Sections 61(2), 317(4), 317(5), 336(3), 340(2) of B.N.S.

3. According to prosecution case, the petitioner along
with other co-accused persons has committed theft of e-
rickshaw. It is further alleged that the e-rickshaw in question is
said to have been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the

present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact the e-rickshaw in question was recovered near the house of the petitioner but it is alleged that the e-rickshaw was recovered from the house of the petitioner. It is further submitted that from perusal of the seizure list, it appears that neither the family members of the petitioner nor the petitioner has signed the seizure list. The name of the petitioner has been transpired on the basis of disclosure made by the apprehended co-accused person namely, Ajay Kumar Chaudhary. The petitioner is in custody since 20.03.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one and apart from that, e-rickshaw in question has been recovered from the house of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Begusarai in connection with Nawkothi

P.S. Case No. 166 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. 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 delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Raj Ranjan/-

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