

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34130 of 2025

Arising Out of PS. Case No.-33 Year-2024 Thana- NAKARDEI District- East Champaran

Nandlal Kumar Patel S/O Narad Patel R/O Vill.- Sahdewa, P.s.- Raxaul, Dist.-
East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Nakardei P.S. Case No.33 of 2024, lodged on 15.11.2024 under
Sections 317(4), 317(5) & 3(5) of the BNS, 2023.

3. As per the prosecution, FIR has been lodged against
the petitioner alleging that a motorcycle, which was subject to
theft, was recovered from his possession, and he used the said
motorcycle for the business of selling illicit liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. It is further
submitted that the petitioner had purchased the said motorcycle,
but he was arrested by the police as he was not in possession of
the relevant documents at the time. Counsel further submits that



the petitioner does not have a clean criminal antecedent, and three criminal cases are pending against him. It is also submitted that the petitioner has been in custody since 16.11.2024. Counsel further submits that the offence for which the present case has been lodged is Magestrial Triable in nature, and the petitioner is ready to comply with all conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner does not have a clean antecedent, and that there are other cases of a similar nature pending against him.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted regular bail on being satisfied by the trial court that the petitioner is not absconding in any of the cases which are pending against him whose details are mentioned below as well as on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of S.D.J.M., Raxaul at Motihari, in connection with Nakardei P.S. Case No. 33 of 2024, subject to the following conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, as well



as with the other following conditions:-

(i) one of the bailor should be a close relative of the petitioner who shall provide official document to show his *bona fide*.

(ii) Another bailor shall be the person who sworn the affidavit on behalf of the petitioner before this Court, namely, Narad Patel (father of the petitioner) S/o of Jaidolal Raut Roy, Village-158 Sahdewa, P.S.- Raxaul, District- East Champaran, Aadhar Card No. 3101 2274 3135.

7. Pending cases against the petitioner are as follows:-

(i) Nakardei P.S. Case No. 15 of 2024

(ii) Nakardei P.S. Case No. 18 of 2024

(iii) Raxaul P.S. Case No. 398 of 2024

(Dr. Anshuman, J.)

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