

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33640 of 2025

Arising Out of PS. Case No.-38 Year-2024 Thana- MALAHI District- East Champaran

Ritesh Kumar @ Nitesh S/o Sheo Pujan Prasad @ Shoepujan Prasad @
Shivpujan Mahto R/o Village- Tejpurwa, Kurmi Tola, P.S.- Malahi, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 04-07-2025 Heard Mr. Pankaj Kumar Jha, learned counsel for the
petitioner and the State.

2. The petitioner seeks regular bail in connection with
Malahi P.S. Case No. 38 of 2024 for the offences under Sections
317(4), 317(5), 3(5) of B.N.S.

3. As per the prosecution story, the informant who is
the police officer, alleged that in course of raiding the ATM
Centres, got secret information that petitioner has kept stolen
motorcycle, upon which it raided the house of the petitioner and
there is recovery/seizure of Hero Splendor Plus Motorcycle
beside the Hero Motorcycle, as he failed to provide any
document.

4. Learned counsel for the petitioner submits that they
have already suffered by being in custody since 08.09.2024 and



if granted relief, he shall be diligently appearing in trial.

5. Mr. Bharat Bhushan learned APP on the other hand opposed the prayer submitting that there has been recovery from the house of the petitioner of the stolen motorcycle.

6. Taking into account the submissions of the parties as also the period of custody, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-10, Motihari, East Champaran, in connection with Malahi P.S. Case No. 38 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight till the conclusion of the trial.

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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