

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34031 of 2025

Arising Out of PS. Case No.-92 Year-2025 Thana- BIHIA District- Bhojpur

Sinku Kumar @ Siku Kumar S/o Guru Charan Singh @ Guru Charan Yadav
@ Gurucharan R/o Village- Chakrahi, P.S.- Bihiya, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Rakesh Singh, Advocate
For the Opposite Party/s :	Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard Mr. Krishna Prasad Singh, the learned senior
counsel appearing on behalf of the petitioner and Mr. Ajay Kumar,
the learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Bihiya P.S. Case No. 92 of 2025, registered for the offences
punishable under Sections 317(5) of B.N.S. and Section 25(1-b)a,
26 and 35 of the Arms Act. Petitioner has clean antecedent.

3. As per the prosecution case, the police got
information that few persons were standing with a motorcycle
which was procured through theft, conducted raid and
apprehended three persons, namely, Uma Shankar Yadav, Golu
Kumar and Sinku Kumar @ Siku Kumar (petitioner). On search,
one pistol with live cartridges were recovered from the co-accused
Uma Shankar Yadav while a key of a motorcycle was recovered
from Golu Kumar and a master key was recovered from the



possession of the petitioner Sinku Kumar @ Siku Kumar.

4. The learned senior counsel appearing on behalf of petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner was merely a passerby, however, no such incriminating material has been recovered as alleged in the FIR. It has further been submitted by the learned Senior counsel that even taking the allegations on its face value, apart from the recovery of a master key, there is nothing against the petitioner to connect him with the occurrence of theft of motorcycle. Learned senior counsel next submits that charge-sheet has already been submitted. It has lastly been submitted that petitioner has clean antecedent and he is in custody since 20.03.2025.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties and taking into account that petitioner has clean antecedent and considering the period of custody, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. 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 court of



learned C.J.M, Bhojpur at Ara, in connection with Bihiya P.S.
Case No. 92 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(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 cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

(Sourendra Pandey, J)

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