

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34006 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- SIRDALA District- Nawada

Abodh Kumar @ Loha @ Subodh Kumar S/O Suresh Prasad Resident Of
Village- Khushiyali Bhatta, PS- Rajauli, Distt-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Adv
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sirdala P.S. Case No. 85 of 2025 registered for the offences punishable u/s 317(4) and 317(5) of the B.N.S.

3. As per the prosecution case, the police had arrested one Santosh Choudhary @ Sunil Choudhary with a stolen motorcycle, he disclosed that there is another motorcycle bearing registration no. BR2H1104 which is in the possession of the co-accused Sagar Kumar. Upon such information, the police proceeded towards Partapur Chowk from where the co-accused Sagar Kumar was arrested along with the motorcycle in question. It is further alleged that one Suraj Kumar disclosed



that the Hero Splendor motorcycle is stolen one and belongs to Abodh Kumar (petitioner).

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner was not apprehended from the place of occurrence and no recovery has been made from his conscious possession. It is next submitted that merely on the confessional statement of one Suraj Kumar, the petitioner was arrested from his house and also assaulted by the police and further he was referred to P.M.C.H., for treatment. It is also submitted that similarly situated co-accused, namely, Sagar Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 19.05.2025 passed in Cr. Misc. No. 32333 of 2025. It is lastly submitted that the petitioner has one criminal antecedent and is in custody since 17.03.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the fact that no recovery has been made from his conscious possession and also considering the period of custody, let the petitioner above-named, be



enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada, in connection with Sirdala P.S. Case No. 85 of 2025, subject to the following conditions:-

(i) One of the bailors will be 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) If the petitioner is found involved in similar nature of offence in future, the prosecution will 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.

7. The application stands allowed.

(Sourendra Pandey, J)

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