

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35436 of 2025

Arising Out of PS. Case No.-27 Year-2024 Thana- MURLIGANJ District- Madhepura

Shankar Kumar @ Shankar Yadav, Son of Bijendra Yadav @ Birendra Yadav,
Resident of Village - Kolhaypatti, Dumariya, Ward No.- 10, Police Station -
Murliganj, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the State : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Murliganj P.S. Case No. 27 of 2024, dated
29.01.2024, registered for the offences punishable under Section
379 of the Indian Penal Code.

3. As per allegation, the motorcycle of the informant
was stolen away along with Rs. 25,000/- which was kept in the
dicky by the petitioner when he had gone to answer the call of
nature after putting the motorcycle on stand on road. As per
further allegation, the petitioner has also demanded Rs. 10,500/-
for delivering the possession of the motorcycle.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no recovery of the motorcycle from the possession of the petitioner. He further submits that the whole allegation is false and fabricated on account of the fact that the petitioner had given a loan of Rs. 50,000/- to the informant and when he demanded the money back, he has been falsely implicated in this case.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has four criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection



with Murliganj P.S. Case No. 27 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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