

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37651 of 2025

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

Santosh Chaudhari @ Sunil Chaudhary son of Rajendra Chaudhary village-
Chhotki Nagwan, Ps- Fatehpur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv.
For the State : Mr. Nitya Nand Tiwary, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 317(5), 317(4) of the
B.N.S., 2023.

3. The case of the prosecution is that in the course of
patrolling for arresting some wanted persons, the police arrested
the petitioner, who was trying to flee away and upon his
disclosure, a stolen motorcycle was seized and a seizure list was
prepared. It has further been alleged that one Sagar Kumar was
also arrested with one Glamour motorcycle and some other
motorcycles were also recovered from the houses of other co-
accused persons.

4. Learned counsel for the petitioner submits that the



petitioner was arrested by the police in confusion and suspicion and as a matter of fact, the motorcycle in question was not recovered from the physical and conscious possession of the petitioner. It is further submitted that no other person has claimed the said motorcycle nor any case of theft has been registered with regard to the said motorcycle. It is next submitted that the petitioner is in custody since 07.03.2025 and charge sheet has been submitted in the present case. Learned counsel for the petitioner also relies on the order dated 19.05.2025 passed in Cr. Misc. No. 32333 of 2025 whereby co-accused Sagar Kumar, who is similarly situated with the present petitioner, has already been granted the privilege of bail.

5. Learned APP for the State, however, opposes the prayer for regular bail on the ground that the petitioner has two criminal antecedents. However, it is submitted on behalf of the petitioner that both the cases are under the Excise Act and the petitioner is on bail in one of them.

6. Considering the above-mentioned facts and circumstances, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount



each to the satisfaction of the learned Court below where the
case is pending/successor Court in connection with Sirdala P.S.
Case No. 85 of 2025.

(Soni Shrivastava, J)

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