

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36863 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- BARAHAT District- Banka

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Aman Kumar Golu @ Aman Kumar Son of Guddu Prasad Yadav Resident of
Chapra P.S -Barahat, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

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

2. The petitioner seeks bail in connection with Barahat
P.S. Case No. 28 of 2025 instituted for the offences under
Sections 317(5), 318(4), 338, 336(3), 336(4), 340(2), 61(2) of
the B.N.S., 2023.

3. As per prosecution case, the police has caught the
accused persons including the petitioner with two stolen
motorcycle as well as mobiles from their conscious possession.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to local politics. He further submits that nothing



incriminating has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner submits that there is no proof of recovery of vehicle from the petitioner and the seizure list was not prepared in presence of the independent witnesses and, thus, there is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. There is also no proof to show that the vehicle seized by the accused persons are stolen. No one has also come forward to claim the alleged vehicles. Till date, no Test Identification Parade has been conducted in this case. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 24.01.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned



Court in connection with Barahat P.S. Case No. 28 of 2025.

(Rudra Prakash Mishra, J)

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