

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38398 of 2025

Arising Out of PS. Case No.-269 Year-2019 Thana- RIVILGANJ District- Saran

Aaryan Singh Son of Manoj Singh Resident Of Village -Bagaura, PS-
Duraundha, Distt.- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Ram Son of Muneshwar Ram Resident of village- Methawalia, P.S-
Rivilganj, Distt.- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhukar Mohan
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-09-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Revilganj P.S. Case No. 269 of 2019, registered for the offences punishable under Sections 279, 304A, 392 and 34 of the Indian Penal Code and Sections 25(1-b)a, 26 and 27 of the Arms Act.

3. Allegedly while the father of the informant was going for having a cup of tea, in the meanwhile, he was dashed by a Pulsar motorcycle on which three persons were riding and when nearby co-villagers tried to catch the motorcycle riders, one of them has fired due to which one of the co-villagers sustained injury. Later on, the father of the petitioner died during the course of treatment on account of injuries.

4. Learned Advocate for the petitioner submitted that only on account of he being the owner of the Pulsar motorcycle



bearing registration No. BR-04AB-3876, his name has been implicated in this case. However, during the course of investigation, it has come that the petitioner was not even present at the place of occurrence; the motorcycle of the petitioner was taken by some of the neighbours and he was not knowing this fact that his vehicle has ever been used for any illicit purpose. The informant and his injured father had also categorically stated that the petitioner was not even present at the place of occurrence and their statement has also been brought on record by Annexure-P/2. It is the contention of the petitioner that the police has never visited the house of the petitioner and, as such, there was no apprehension of his arrest but later on, the police started chasing the petitioner, compelling him to file present application. On account of the aforesaid reason, the delay has occurred in approaching the Court.

5. On the other hand, learned Advocate for the informant appears in this case and submitted that the contention of the petitioner that he was not present at the place of occurrence, has been supported by the informant and the injured. However, this fact cannot be denied that the petitioner is the owner of the motorcycle in question.

6. Learned APP for the State adopts the contention of



the learned Advocate for the informant.

7. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of statement of the injured and the informant, coupled with the fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Revilganj P.S. Case No. 269 of 2019, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further conditions:

(i) that there shall be no process issued under Sections 84 and 85 of BNSS and,

(ii) that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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