

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46460 of 2025**

Arising Out of PS. Case No.-8 Year-2025 Thana- Pastpar Pusthi District- Saharsa

Neeraj Kumar @ Nikhil Kumar Son of Ramlakhan Yadav R/o Village  
Dhabouli , Morkahi ward No 10 PS Pastpar District Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Surya Narayan Yadav, Advocate  
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

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

ORAL ORDER

2      29-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Pastpar  
P.S. Case No. 8 of 2025 instituted for the offences under  
Sections 317(4), 317(5), 336(3), 340(2) of the Bharatiya Nyaya  
Sanhita, 2023.

3. Prosecution case, in short, is that the accused  
persons including the petitioner was apprehended by the police  
with a stolen motorcycle.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. No incriminating/looted article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered motorcycle. Learned counsel further submitted that, as a matter of fact, the petitioner had taken the motorcycle from one Raja Kumar for some personal work without knowing that the same was stolen property. There is no compliance of Section 103 of the BNSS. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.01.2025 and has five criminal antecedents. The co-accused person has already been granted anticipatory bail by coordinate Bench of this Court vide order dated 21.05.2025 passed in Cr. Misc. No. 33908 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Pastpar P.S. Case No. 8 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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