

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41788 of 2025

Arising Out of PS. Case No.-173 Year-2025 Thana- BATHNAHA District- Sitamarhi

Rahul Kumar S/O Nathuni Khirhar R/O Vill.- Tirkauliya (Turkauliya), Ward
No. 12, P.S.- Bathnaha, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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

ORAL ORDER

3 14-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Bathnaha P.S. Case No. 173 of 2025, instituted for the offences punishable under Sections 303(2), 317(4), 317(5), 336(3), 112(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, in course of vehicle checking, the police apprehended the petitioner along with other co-accused person with a motorcycle and on demand of papers, they were unable to produce any valid documents for the same.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not the owner of the motorcycle in question, rather he took lift from the co-accused, namely, Dharmendra Kumar and he has got no knowledge that the said motorcycle was a stolen one. The petitioner is in custody since 09.04.2025 and has got one criminal antecedent in which he is on bail.

5. Learned APP 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bathnaha P.S. Case No. 173 of 2025.

(Rudra Prakash Mishra, J)

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