

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39741 of 2025

Arising Out of PS. Case No.-123 Year-2024 Thana- Bahera District- Gaya

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Dinesh Kumar S/O Rajan Bhuiyan R/O Village- Jayprakash Nagar, PS-
Mohanpur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 27-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Bahera P.S. Case No. 123 of 2024 for the offence under Sections 317(5), 318(4), 338, 336(3), 3(5), of BNS.

3. As per the prosecution story, the informant has alleged that on 11.11.2024, during the course of vehicle checking, he saw that one person on black coloured Splendor motorcycle bearing Registration No. BR02BB6544 tried to escape, upon suspicion, when police approached him and asked for the documents of the motorcycle, he failed to produce the same and upon interrogation, he disclosed his name as Rakesh Kumar he also disclosed that the said motorcycle was given to



him by his brother-in-law (petitioner). Later on it transpired that the real Registration No. of the alleged motorcycle is BR26V5764.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent, committed no offence and has falsely been implicated in this case by the informant merely on suspicion. No such occurrence, as alleged in the F.I.R. has been taken place, and the entire prosecution case is out and out false and concocted one. Petitioner has no concern at all either with the said motorcycle or with the apprehended co-accused Rakesh kumar. Learned counsel further submits that the name of the petitioner has been transpired in this case only on the confessional statement of one co-accused namely Rakesh Kumar made before the police. Petitioner is man of clean antecedent.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-1st, Sherghati at Gaya, in connection with Bahera P.S. Case No. 123 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be physically present on each and every fixed date till framing of charge and on his absence on two consecutive dates without sufficient reason, his bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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