

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41528 of 2025

Arising Out of PS. Case No.-438 Year-2024 Thana- BATHNAHA District- Sitamarhi

Ashok Kumar @ Ashok Rai S/O Kedar Ray R/O Village- Chandpura, P.S-
Bathnaha, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Bathnaha P.S. Case No. 438 of 2024, dated 20.09.2024,
instituted under Sections 303(2), 317(5), and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3.The allegation is of the recovery of one stolen red
colour Glamour motorcycle of Hero Company from the house
of co-accused Santosh Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. Nothing has been recovered from the conscious
possession of the petitioner. So far as the recovery of the stolen
motorcycle is concerned, the same is from the house of the co-



accused Santosh Kumar. The name of the petitioner has surfaced in this case merely on the basis of the statement made before the police by the father of co-accused Santosh Kumar, which has no evidentiary value. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Sitamarhi, in Bathnaha P. S. Case No. 438 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

7. The application stands allowed.

(Khatim Reza, J)

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