

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43201 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- BYPASS District- Patna

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Dhiraj Kumar @ Billa S/O Mahesh Prasad Resident of Bahari Begampur
Beldari Tola, PS- Bypass, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Kant Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-07-2025 Heard Mr. Uma Kant Mishra, learned counsel for

the petitioner and Mr. Jitendra Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with By Pass P.S. Case No. 88 of 2025, F.I.R. dated 25.02.2025 for the offences punishable under Sections 317(4), 317(5), 342(2) and 347(1) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, this petitioner used to supply stolen motorcycles to co-accused, Rahul Kumar who is owner of Bajrangi Auto Parts Service and both of them are engaged in sale and purchase of stolen motorcycles.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case on the basis of the confessional statement of the



apprehended co-accused, namely, Rahul Kumar who is owner of the Bajrangi Auto Parts Service. He further submits that the recovery has been made from the co-accused person and except the confessional statement of the co-accused, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries three criminal antecedents of similar nature other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in all the three cases.

6. Considering the aforesaid facts and circumstances that the name of the petitioner has been transpired on the basis of the confessional statement of the co-accused, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Patna City in connection with By Pass P.S. Case No. 88 of 2025, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure /
Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and
with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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