

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45816 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- JAHANABAD District- Jehanabad

Suraj Kumar @ Jaiki Kumar S/o Krishna Kevat @ Bhushan Kevat R/o
Village- Malahchak, P).S. and District- Jehanabad Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-07-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Jehanabad P.S. Case No. 02 of 2025 for the offence punishable under Sections 317(5), 318(4), 336(3) of Bhartiya Nayay Sanhita, 2023 lodged on 01.01.2025 by the informant, Harinarayan Prasad.

3. As per the prosecution story, the Police intercepted two motorcycles though those riding it, managed to escape. The two motorcycles were brought to the Police Station. Next day, Lavkush Kumar and Indrajeet Kumar appeared and informed that the second motorcycle (Yamaha) belongs to Indrajeet Kumar while the bullet belongs to Suraj Kumar (petitioner herein). Upon demand of papers, they provided the documents of Yamaha motorcycle which actually belongs to one Md. Ujaif. So far as the bullet motorcycle is concerned, through the *website* it came to knowledge that it belongs to one Bablu



Kumar who informed that it was stolen a day before. Both were arrested and they confessed that it has been provided by this petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession nor the two motorcycles belonged to him, only because those with whom the motorcycles were seized/recovered gave the name and he has criminal antecedent, got implicated.

5. Last submission is that the petitioner is in custody since 03.01.2025.

6. Learned APP opposes the prayer stating that he has criminal antecedent and those arrested named him.

7. Taking into account the aforesaid facts as also that the recovery/seizure is from Lovkush Kumar/Indrajeet Kumar, on their confession, the name has come, he has remained in custody since 03.01.2025, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Jehanabad P.S. Case No. 02 of 2025 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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