

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62651 of 2025

Arising Out of PS. Case No.-237 Year-2025 Thana- KATEYA District- Gopalganj

Daroga Ali S/o Mokhtar Ali @ Mokhtar Miyan R/o Village- Ghanichakiya,
PS- kateya, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Bhakta, Advocate

For the Opposite Party/s : Md. Shakir Ahmad, APP

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

ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kateya P.S. case No.
237 of 2025 instituted for the offences under Sections 317(5)
and 111 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that during
checking of the vehicles by the police, the petitioner was
apprehended with one motorcycle. On inquiry, the petitioner
could not produce the paper of the motorcycle and stated that
motorcycle is stolen one.

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. The true fact is that the petitioner being a mechanic runs repairing shop and from where the said motorcycle was recovered and the same belonged to one Deepak Kumar. So far recovery of three motorcycles on the basis of the confessional statement of the petitioner are concerned, the same is recovered from an open place. No incriminating material has been recovered from the conscious possession of the petitioner. There is no independent witness to the seizure list. The petitioner is in custody since 04.05.2025 and has got one criminal antecedent and not two criminal antecedents as mentioned in the impugned order.

5. Learned A.P.P. 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 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kateya P.S. case No. 237 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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