

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50262 of 2025

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

Mainuddin Ali @ Mainuddin Miyan S/O Daroga Ali R/O Village-
Ghanichakiya, P.S- Kateya, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Bhakta

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

2. This is the first bail application for grant of anticipatory bail of the petitioner apprehending his arrest in connection with Kateya P.S. Case No. 237 of 2025 registered for the offence under Section 317(5) and 111 of the Bharatiya Nyaya Sanhita.

3. According to the case of prosecution, on 03.05.2025, during search one person/accused Daroga Ali has been caught hold by the police party, at that time, he was in possession with motorcycle, allegedly the said motorcycle was stolen motorcycle, which has been seized from his possession. On being enquired, it is informed by him that the said motorcycle has been given to him by his son Mainuddin Ali, the



present applicant, and Kalamuddin.

4. It is submitted by the learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in the present case. The petitioner is not residing with his father Daroga Ali, rather he is residing at Dhanbad and is working there as a driver. He further submits that the stolen motorcycle has not been seized from the possession of the present applicant nor the present applicant was found present on the spot. He also submits that *Prima facie* no offence has been made out against the petitioner. Thus, on these grounds, it is prayed that the petitioner may be granted benefit of bail.

5. Learned counsel for the State opposes the arguments raised by the counsel for the petitioner.

6. Heard.

7. Perused the records and other materials available on record.

8. Considering the submissions made by the counsel for the petitioner and particularly considering the fact that the stolen motorcycle has been recovered from the possession of his father, I am of the view that it is a fit case where the petitioner should be granted benefit of bail.

9. Accordingly, the application is allowed.



10. Let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M., Gopalganj in connection with Kateya P.S. Case No. 237 of 2025, subject to the condition as laid down under Section 482(2) of B.N.S.S. 2023.

(Arvind Singh Chandel , J)

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