

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55439 of 2025

Arising Out of PS. Case No.-329 Year-2024 Thana- RAGHOPUR District- Vaishali

Shiv Shankar Rai @ Shiv Shankar Kumar S/o Kantlal Rai R/o village -
Saidabad, P.S - Raghobpur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhusudan Kumar, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-08-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Raghobpur P.S. Case no.329 of 2024 (G.R. no.7466 of 2024) registered for the offence punishable under section 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that he had parked his motorcycle and had gone to attend a feast, however, on returning, he found the motorcycle missing. He states that the same was not to be found inspite of enquiry and as such, the FIR against unknown.

4. Learned counsel appearing for the petitioner referring to the order of the learned Court below submits that the petitioner was falsely implicated in the case in course of



investigation on the basis of the confessional statement of a co-accused Abhishek Kumar made before police. Referring to the statement made in paragraph no.10 of the petition, it is submitted that the said Abhishek Kumar has been enlarged on bail. With respect to the allegation that some parts of the body of the alleged motorcycle was recovered from the shop of this petitioner, in reference to the seizure list at page 13 and which forms part of the FIR, learned counsel for the petitioner submits that from the description of the parts mentioned therein, no person can come to the conclusion as to which motorcycle the same belong to. The petitioner has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the co-accused Abhishek Kumar on whose confessional statement before the police the name of the petitioner transpired himself having been enlarged on bail and specially the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released



on anticipatory bail in connection with Raghopur P.S. Case no.329 of 2024 (G.R. no.7466 of 2024) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XV, Vaishali at Hajipur.

(Partha Sarthy, J)

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