

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55425 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- BAKHTIYARPUR District- Patna

Pappu Kumar S/o Sonelal Ray R/o Village- Chiraiya, P.S.- Bakhtiyarpur,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-08-2025 Heard Mr. Ashok Kumar Kashyap, learned counsel
for the petitioner and the State.

2. The petitioner is in judicial custody in connection with Bakhtiyarpur P.S. Case No. 34 of 2025 for the offence punishable under Section 317(5) of the Bhartiya Nayay Sanhita, 2023 lodged on 28.01.2025 by the informant, Brajesh Yadav.

3. As per the prosecution story, the informant alleged that on information, it proceeded and saw a truck standing there, the person tried to escape but Police managed to caught hold of him. He was the petitioner herein Pappu Kumar who informed that he had purchased the stolen truck. Further, there is/was recovery of motorcycle also. This led to the FIR.

4. Learned counsel for the petitioner submits that the confession is before the Police, he had nothing to do with the



stolen truck, has no criminal antecedent and is in custody since 29.01.2025.

5. Learned APP, Mr. Bharat Bhushan on the other hand opposes the prayer submitting that though it has been recorded that he has no criminal antecedent, the learned Sessions Judge order shows that in connection with the recovery of motorcycle the FIR is there.

6. Taking into account the submissions of the parties as also his period of custody, a categorical statement made that the petitioner has no criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions. However, it is made clear that the concerned Court shall confirm whether the petitioner has any criminal antecedent or not and in case, it is found that contrary to the statement made before this Court, he do have criminal antecedent, the order shall become infructuous.

7. 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 ACJM-III, Barh, Patna, in connection with Bakhtiyarpur P.S. Case No. 34 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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