

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 55489 of 2025

Arising Out of PS. Case No.-274 Year-2025 Thana- MADHAURAH District- Saran

Som Kumar S/o Dhudnath Prasad R/o Village- Awari Kori, Tola, P.S.-
Madhaurah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raushan Raj, Advocate
		Mr. Sitesh Kashyap, Advocate
For the Opposite Party/s :		Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-08-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Madhaurah P.S. Case no.274 of 2025, registered under sections 317(4) and 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that seeing the police personnel an accused on a motorcycle made an attempt to escape but was caught. On enquiry, he did not produce any documents with respect to the said motorcycle. On further enquiry it transpired that the said motorcycle was a stolen vehicle for which another F.I.R. had already been registered. The informant states that on further interrogation it was disclosed by the accused who was caught that he had



purchased the said motorcycle for Rs.10,000/- from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case at the instance of co-accused on the basis of his statement made before police. No incriminating article has been recovered from the petitioner's possession nor does he have any concern with the vehicle in question nor with the co-accused. The petitioner has no criminal antecedent.

5. The application for anticipatory 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 F.I.R., the name of the petitioner transpiring in the statement of co-accused made before police, no incriminating article having been recovered from the petitioner's possession and especially 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 Madhaurah P.S. Case no.274 of 2025 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 District and Sessions Judge XIII, Saran at Chapra.

7. It is further observed that in case it is discovered that the petitioner has any criminal antecedent, the prosecution will be at liberty to move this Court for cancellation of bail of the petitioner.

(Partha Sarthy, J)

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