

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58014 of 2025

Arising Out of PS. Case No.-354 Year-2024 Thana- AWTARNAGAR District- Saran

Suraj Kumar, S/o- Gopal Ray, Resident of village- West Balua, P.S.- Doriganj,
District- Saran at Chapra, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the State : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Awatarnagar P.S. Case No. 354 of 2024,
dated 29.11.2024 registered for the offences punishable under
Sections 303(2) and 317(5) of B.N.S., 2023.

3. As per allegation, co-accused, Munna Kumar was
found to be in possession of motorcycle which belongs to one
Anwar Ali and as per confessional statement of co-accused, he
has purchased this motorcycle from the present petitioner and
Anwar Ali has already registered a case for theft of his subject
motorcycle.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this



case. He further submits that the petitioner has nothing to do with alleged offence, nor has the motorcycle been recovered from his possession and his name has transpired only in the confessional statement of co-accused which has no evidentiary value.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Awatarnagar P.S. Case No. 354 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.,



2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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