

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64183 of 2025

Arising Out of PS. Case No.-384 Year-2023 Thana- BAKHARI District- Begusarai

Deen Bandhu Kumar @ Deenbandhu Kumar S/O Mukesh Mahto @ Mukesh Kumar Mahto Resident of Pusaho, Ward No.- 5, P.S.- Bithan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bakhari P.S. Case No. 384 of 2023 instituted for the offence under Sections 379 & 411 of the Indian Penal Code.

3. On 08.12.2023 at about 12:30 AM, informant alleged that while he was sleeping near his house, two unknown persons came on a motorcycle to steal a motor attached to a pump-set, but on his alarm they fled, leaving behind the motor and their motorcycle (Reg. No. BR09AJ 4957), which he produced before police for legal action.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26-06-2025. Petitioner bears no criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. From perusal of the FIR, it would manifest that petitioner is not named in the FIR and his name has surfaced during investigation as being owner of the motorcycle in question. Admittedly, there was no commission of theft and allegation is confined to attempt of theft, which is concocted. Nothing has been recovered from the conscious possession of the petitioner. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and nature of accusation, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bakhari P.S. Case No. 384 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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