

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58250 of 2025

Arising Out of PS. Case No.-143 Year-2025 Thana- PATAHI District- East Champaran

Golu Kumar S/o Rudal Sahani @ Rudal Sahni R/o Village- Parsauni Kapoor,
P.S.- Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 09-10-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Patahi
P.S. Case No. 143 of 2025 registered for the offences under
Sections 317(4), 317(5), 338, 336(3), 61(2) and 3(5) of the
Bharatiya Nyaya Sanhita.

3. The petitioner is named in the F.I.R. and is in custody
since 02.04.2025.

4. As per FIR, petitioner found in possession of one
stolen motorcycle and alleged to be involved in selling and
purchase of such stolen motorcycle across Indo-Nepal border.

5. Learned counsel appearing on behalf of the petitioner
submitted that recovery was not made from exclusive possession
of this petitioner. It is submitted that alleged motorcycle was found
in possession of one Golu Kumar and Suman Kumar. It is also
pointed out that seizure list appears doubtful for the reason that
same is not supported by independent witnesses rather by police



personnels. While concluding the argument it is submitted that, petitioner is a man of clean antecedent and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, while opposing the prayer for bail submitted that petitioner found in possession of stolen motorcycle.

7. In view of aforesaid factual submission and by taking note of fact as alleged stolen motorcycle prima-facie not appears to be recovered from the conscious physical possession of this petitioner, coupled with the fact as petitioner remains in custody since 02.04.2025, being a man of clean antecedent, accordingly above named petitioner, is directed to be released on bail in connection with Patahi P.S. Case No. 143 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 learned Judicial Magistrate-1st Class, Sadar at Motihari, East Champaran/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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