

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60081 of 2025

Arising Out of PS. Case No.-93 Year-2025 Thana- Sonki District- Darbhanga

Shiv Kumar S/o Ram Bhagat @ Ram Bhagat Mahto Resident of Village -
Etwa Shivanagar, Ward No. - 3, P.S. - Biraul, Dist. - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Praveen, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Sonki
P.S. Case No. 93 of 2025, instituted for the offences punishable
under Sections 317(4), 317(5), 338, 336(2), 340(2) and 318(4)
of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner
was apprehended by the police and one stolen motorcycle has
been recovered from him. It is further alleged that on demand of
papers, the petitioner failed to produce any valid documents for
the same.

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



present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner was arrested on the basis of suspicion. The petitioner has purchased the seized motorcycle from an unknown person and he has got no knowledge that the motorcycle is a stolen one. The petitioner is in custody since 29.06.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonki P.S. Case No. 93 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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