

Arising Out of PS. Case No.-289 Year-2024 Thana- PATRAKARNAGAR District- Patna

... Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Patrakarnagar P.S. Case No. 289 of 2024, instituted for the offences punishable under Section 379 of the Indian Penal Code.

3. The prosecution case, in short, is that motorcycle of the informant was stolen from the *goshala* of his house where he used to park his motorcycle on a daily basis.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. It is further submitted that neither the stolen motorcycle has been recovered from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 24.02.2025 and has got twenty-five criminal antecedents.

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 Patrakarnagar P.S. Case No. 289 of 2024, 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.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(IV) The petitioner will not leave the territorial jurisdiction of the Court below without its prior permission for the same.

(Rudra Prakash Mishra, J)

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