

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60669 of 2025**

Arising Out of PS. Case No.-123 Year-2025 Thana- MAHUA District- Vaishali

Shivam Kumar S/o Rajesh Sah R/o Village- Ramchandra Dohje, PO- Boraia,  
PS- Sarai, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      08-09-2025                      Heard Mr. Awadhesh Kumar Singh, learned counsel  
for the petitioner and Mr. Anil Kumar, learned Additional  
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mahua P.S. Case No. 123 of 2025, F.I.R. dated 27.01.2025 for the offences punishable under Sections 303(2) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that the petitioner along with other co-accused persons have stolen his motorcycle bearing registration no.BR31AV4449.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The petitioner is not named in the



FIR and his name transpired on the basis of confessional statement of co-accused person, namely, Ravi Kumar and during investigation, the said Ravi Kumar was apprehended with the alleged stolen motorcycle.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and his name transpired on the basis of confessional statement of co-accused person and the petitioner is not named in the FIR, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 123 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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