

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61499 of 2025

Arising Out of PS. Case No.-90 Year-2025 Thana- AMBA District- Aurangabad

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Dinesh Kumar S/o Rajeshwar Yadav R/o Village- Virajpur, P.S.- Amba,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 04-09-2025 Heard Ms. Mukul Kumari, learned counsel for the

petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Amba
P.S. Case No. 90 of 2025, GR No. 1461 of 2025 instituted for
the offences under Section 317(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. Prosecution case, in short, is that the motorcycle of
the informant was stolen by unknown which was parked in front
of her house.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that there is a delay of six
days in lodging the FIR without any plausible explanation,



which in itself, raises doubt over the prosecution story. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the stolen motorcycle and the same has been recovered from Shiv Shakti Hotel situated in Hardutta. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.05.2025 and has no criminal antecedent.

5. Learned A.P.P. 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 as also 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 Amba P.S. Case No. 90 of 2025, GR No. 1461 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)

Alok Verma/-

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