

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66213 of 2025

Arising Out of PS. Case No.-255 Year-2025 Thana- PIRBAHOR District- Patna

Diwakar Kumar S/o Chandan Kumar R/o Village- Bhura, P.S.- Wajirganj,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mani Shankar Kumar, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

3 31-10-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Pirabhore P.S. Case No. 255 of 2025, instituted for the offences
punishable under Section 303(2)

3. The prosecution case, in short, is that motorcycle of
the informant was stolen from Gandhi Ghat by some unknown
miscreants.

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, namely, Sunny Kumar and the same has got no evidentiary value. It is further submitted that the stolen motorcycle has not been recovered from the possession of the petitioner. The petitioner has been remanded in this case from Pirabhore P.S. Case No. 270 of 2025 on 27.05.2025 and is languishing in judicial custody since 06.04.2025. The petitioner has got one criminal antecedent in which he is on bail.

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 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 Pirabhore P.S. Case No. 255 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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