

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63777 of 2025

Arising Out of PS. Case No.-38 Year-2024 Thana- SINDHUGAR District- Gaya

Sikandar Kumar @ Sikendar Kumar @ Sikandra Kumar S/o Ganeshi Prasad
Yadav @ Ganesh Yadav R/o Village- Hathiyadag Tola, Tulsidih, P.S.-
Sindugarh, (Mohanpur), District- Gaya Ji.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shivendra Prasad, Advocate
For the State : Mr. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 10-12-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Sindhugarh P.S. Case No. 38 of 2024, dated
07.05.2024, registered for the offences punishable under Section
414 of the Indian Penal Code.

3. As per allegation, the police had confidential
information that the Petitioner and other co-accused keep stolen
motorcycle in their house. Thereafter, he raided the house of co-
accused, Raju Kumar and recovered one motorcycle from his
house and arrested him and he disclosed the name of the co-
accused, Ramsharan Kumar, as person who also keeps stolen
motorcycle. It is further case of the prosecution that he



apprehended Ramsharan Kumar along with the motorcycle and one persons who was sitting behind as a pillion, who fled away seeing the police. As per the statement of Ramsharan Kumar, the motorcycle he was riding belongs to the Petitioner and there is no title document in regard to the motorcycle in question.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no recovery of any stolen property from the possession of the Petitioner or from his house. His name has transpired only in the statement of the co-accused, Ramsharan Kumar, who is exculpatory and not inculpatory in nature. Hence, such statement of the co-accused is not reliable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that there is no recovery from the house of the Petitioner and there is also no material on record which may connect the Petitioner with the alleged



offence, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Sindhugarh P.S. Case No. 38 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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