

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67013 of 2025

Arising Out of PS. Case No.-116 Year-2025 Thana- SIDHWALIYA District- Gopalganj

Sumit Kumar Pandey @ Sumit Pandey, S/o Sroj Pandey Resident of village-
Haluwar Pandey tola, PS- Sidhwaliya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer, Adv.

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-09-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Sidhawaliya P.S. Case No. 116 of 2025, dated 26.06.2025,
registered under Sections 317(5), 3(5) of the B.N.S.

3. The prosecution case, in brief, is that the informant
received an information that petitioner along with three other
accused were selling stolen motorcycle. When the police team
reached there, all the alleged accused started running away, but
two of them were arrested and other two including this
petitioner fled away.

4. It is submitted by the learned counsel for the
petitioner that allegation against this petitioner is with regard to
assisting the co-accused persons in disposal of the stolen property,



while the name of the petitioner has surfaced on the confessional statement of co-accused Manjay Kumar and Dhiraj Kumar, who were taken under Judicial custody and have been granted regular bail by the learned court below itself. No incriminating material has been recovered from the house of the petitioner, on search having been made by the Police.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the name of the petitioner has surfaced on the confessional statement of co-accused Manjay Kumar and Dhiraj Kumar, who have been granted regular bail by the learned court below itself and no incriminating material has been recovered from the house of the petitioner, on search having been made by the Police, let the above named petitioner, be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned C.J.M., Gopalganj in connection with Sidhawaliya P.S. Case No. 116 of 2025, subject to the condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-



(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;

(ii) the petitioner (s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner (s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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