

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69878 of 2025

Arising Out of PS. Case No.-74 Year-2024 Thana- ATHMALGOLA District- Patna

Hira Lal Ray @ Hira Lal, S/O Late Kauleshwar Ray, R/O Village- Budhra,
P.S.- Athmalgola, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-10-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Athmalgola P.S. Case No. 74 of 2024 registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

3. The allegation against the petitioner is of assisting in theft of battery from E-Rickshaw.

4. Allegedly on 05.03.2024 at 2.00 PM, while the informant parked his E-Rickshaw and went in his house and later on when he came in the morning, he found that the battery of E-Rickshaw was missing. On CCTV footage, it was found that the battery of E-Rickshaw was stolen by one Golden Kumar and carried away with co-accused Ankit Kumar and Chhotu Kumar.



5. Learned Advocate for the petitioner referring to the F.I.R. contended that even from the CCTV footage, it appears that the petitioner was not found present at the place of occurrence, however, only on account of disclosure made by the apprehended person, the name of the petitioner has been implicated in this case. Save and except the disclosure that too before the police personnel, which has no evidentiary value in the eye of law, there is no material suggesting the complicity of the petitioner in the crime. The petitioner bears fair antecedent and undertakes that he will fully cooperate in the proceeding of the court; moreover the alleged offences are triable by the Magistrate.

6. On the other hand, learned APP for the State vehemently opposes the bail application.

7. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that specific allegation of theft has been levelled against co-accused Golden Kumar, Ankit Kumar and Chhotu Kumar and only suspicion has been raised about the petitioner in extending help, in causing theft of battery of E-Rickshaw, besides the fair antecedent of the petitioner, let the petitioner, named above, in the event of his arrest or surrender before the



court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Barh, Patna in connection with Athmalgola P.S. Case No. 74 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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