

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73537 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- NAUTAN District- Siwan

Rahul Kumar Singh S/o Vijay Bahadur Singh Resident of Village- Khalwa,
P.S.- Nautan, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his/her arrest in connection with Nautan P.S. Case No. 89 of 2025, dated 12.04.2025, registered under Sections 317(5), 3(5) of the B.N.S.

3. The prosecution case, in brief, is that on 12.04.2025 at about 17:10 hours the informant along with other police personnel had proceeded for evening patrolling duty and he was checking the vehicle at Ramgarh bridge, in the meantime he received information that Rahul Kumar Singh and Prince Rai is trying to sale Royal Enfield stolen motorcycle near his house and they can be caught on going there, then the informant shared the said information to senior officer and at about 17:30 hours reached near the house of Rahul Kumar Singh, where he



saw that two persons were standing with one motorcycle, who on seeing the police started fleeing leaving the motorcycle, who were chased by the police, but both the persons succeeded in fleeing. The informant alleged that the nearby persons disclosed the name of fleeing persons as Rahul Kumar Singh and Prince Rai @ Ashish Rai. Thereafter, no one claimed regarding the motorcycle. Thereafter, the informant in the presence of Home Guard constable, namely, Rabindra Manjhi and Manish Kumar, recovered the said motorcycle bearing registration no. DL8SDG-9547, chassis no. ME3J3D5FAR1007534, engine number not visible and prepared seizure list. Thereafter, the informant brought the recovered motorcycle to the police station and kept in the premises of police station.

4. Learned counsel for the petitioner submits that merely on the basis of fact that the alleged Motorcycle was parked in front of the house of the petitioner, this petitioner has been roped in this case, while there is no incriminating material has been recovered from the possession of the petitioner's house, which was put on search by the Police in his absence. Learned counsel fairly submits that petitioner has one criminal antecedent except the present case, in which he has been acquittal.

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



6. Considering the facts that merely on the basis of fact that the alleged Motorcycle was parked in front of the house of the petitioner, this petitioner has been roped in this case, while there is no incriminating material has been recovered from the possession of the petitioner's house, which was put on search by the Police in his absence, let the above named petitioner, be released on anticipatory bail, in the event of his/her arrest or surrender before the learned Court below within a period of four 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 J.M., 1st Class, Siwan in connection with Nautan P.S. Case No. 89 of 2025, subject to the condition as laid down under Section 482 of the B.N.S 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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