

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1524 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- LAURIA District- West Champaran

Gopal Kumar Gharami, S/o Late Amul Gharami, aged about 35 years, R/o vill
- Sikariya Colony, P.S. - Yogapatti, Lauriya, Distt. - West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rishabh Mishra, Advocate
For the Opposite Party : Mr. Md. Ataur Rahman, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Lauriya
P.S. Case No. 309 of 2024 dated 13.09.2024 registered for the
offences punishable under Sections 303(2), 317(4), 317(5), 338,
336(3), 340(2) read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, on 13.09.2024, the
police received a secret information that the co-accused Murari
Prasad has kept stolen motorcycles in part by part in his scrap
shop to sell. On this information, the police and other officials
went at his shop and apprehended Murari Prasad and Suraj
Kumar and also recovered various parts of the motorcycles and
he has also disclosed that the co-accused Suraj Kumar after



committing theft of the motorcycles from different places of Bettiah gave to Kalim Mian and thereafter Kalim Mian dismantled the said motorcycles and thereafter Murari Prasad used to sell it. He has also stated that one of the stolen motorcycles had been given to Gopal Kumar Gharami (petitioner) who has installed in his Thela. Thereafter, police raided the house of the petitioner and recovered one Thela with engine of the motorcycle and one another motorcycle from his house.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that no incriminating article has been recovered from his possession. There is no specific allegation against the petitioner. The name of the petitioner has surfaced in the present case on the basis of the confessional statement of the co-accused Murari Prasad who has got no evidentiary value in the eyes of law. There is no eye witness to the alleged offence. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 13.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 309 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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