

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87227 of 2024

Arising Out of PS. Case No.-163 Year-2024 Thana- RAJEPUR District- East Champaran

Baidyanath Prasad S/o Late Dangar Prasad R/o vill - Bahuarabhan, P.S. -
Madhuban, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 20-03-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Rajepur
P.S. Case No. 163 of 2024 instituted for the offences under
Sections 303(2), 317(2), 317(5) of the B.N.S.

3. As per prosecution case, the petitioner was arrested
by the police with the stolen motorcycle. It is also alleged that
on the disclosures made by the petitioner, the stolen motorcycles
have been recovered from his scrap (*Kabad*) shop.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to village politics. He further submits that the seized
motorcycle does not belong to the petitioner. He further submits
that nothing incriminating has been recovered from the



conscious possession of the petitioner. The petitioner has never indulged in sell and purchase of the stolen motorcycle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 11.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajepur P.S. Case No. 163 of 2024.

(Rudra Prakash Mishra, J)

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