

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83580 of 2025

Arising Out of PS. Case No.-446 Year-2025 Thana- FATUA District- Patna

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Gaurav Kumar, S/o Late Jaichand Mahto, Resident of Village- Yarpur, P.S.-
Hilsa, District- Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagadeo Choubey, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 11-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Fatuha P.S. Case No. 446 of 2025 registered for the offence
punishable under Sections 303(2), 317(3) and 317(4) of B.N.S.

3. The case of the prosecution, in short, is that unknown
miscreants were taking away the bike of the informant after
breaking its lock. While they were taking away the bike nearby
local persons stopped them and tried to ask them about it. All the
three persons started fleeing away leaving the bike. They were
apprehended. Petitioner is one of them.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner has not committed any offence
though he was apprehended. It has further been submitted that he



was taken by the co-accused persons on the bike and that he did not play any active role in alleged theft. It has also been submitted that nothing has been recovered from his possession. He has been framed in this case only on the basis of his criminal antecedent. It has also been submitted by learned counsel for the petitioner that after cognizance in this case charge has already been framed. Petitioner is languishing in judicial custody since 17.06.2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of seven cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court of A.C.J.M.-II, Patna City in connection with Fatuha P.S. Case No. 446 of 2025 **with the condition that the petitioner shall co-operate in the trial and shall be present in the trial Court as and when required.**

(Ashok Kumar Pandey, J)

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