

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2355 of 2026

Arising Out of PS. Case No.-316 Year-2024 Thana- SIWAN CITY District- Siwan

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Gurucharan Singh @ Charan Singh, S/o- Krishna Mohan Singh Resident of
Village -Wesh Tola, P.S-Marhaura, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Siwan City P.S. Case No. 316 of 2024 registered for the offences under Sections 379 of the Indian Penal Code, later on Section 411 of the Indian Penal Code added vide order dated 27.09.2024.

3. The prosecution case is to the effect that the brother of the informant had gone to the computer institute after parking and when he returned, he found his motorcycle missing and therefore, the present FIR was lodged.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has surfaced in the confessional statement of co-accused Vikky Gupta. It has



further been submitted that no incriminating articles have been recovered either from the conscious possession of the petitioner or from his house and it is on the statement of Vikky Gupta that the petitioner is also been named in Daudpur P.S. Case No.146 of 2024. It has next been submitted that the petitioner has no concern with the present incident of theft of motorcycle and only because he has two criminal antecedents of a similar nature he has been implicated in this case.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Siwan City P.S. Case No. 316 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close



relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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