

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3972 of 2026

Arising Out of PS. Case No.-390 Year-2025 Thana- GURUA District- Gaya

Pintu Kumar S/o Late Ram Kishun Mistry @ Ram Kisu Mistry @ Ram Kishun Sharma R/o vill - Erar, P.S.- Gurua, Distt.- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2026 Heard Mr. Shailesh Kumar Singh, learned counsel
for the petitioner and Mr. Jitendra Kumar Singh, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
03.11.2025 in connection with Gurua P.S. Case No. 390 of 2025,
F.I.R. dated 03.11.2025 for the offences punishable under
Sections 303(2) and 317(2) of the BNS, 2023.

3. According to prosecution case, this petitioner was
intercepted by the police party and was unable to produce any
valid documents of motorcycle before the police.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. Although the recovery has been
made from the possession of the petitioner as well as the co-



accused person but there is non-compliance of Section 103 of the B.N.S.S. He further submits that the police has handed over the motorcycle in question to its owner, namely, Aquib Imam. The petitioner is in custody since 03.11.2025.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the motorcycle in question has been handed over to its owner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-1st Class, Sherghati, Gaya (Bihar) in connection with Gurua P.S. Case No. 390 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

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