

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3368 of 2026

Arising Out of PS. Case No.-237 Year-2025 Thana- MANIHARI District- Katihar

Manish Kumar Singh S/O Dilip Kumar Singh R/O Nawabganj, P.S.-
Manihari, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 20-02-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Manihari P.S. Case No.237 of 2025, F.I.R dated 16.09.2025 registered for the offences punishable under Sections 338, 336(3), 318(4) and 303(2) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 15.09.2025, Imam Hasan, P.S.I. of Manihari Police Station, was on patrolling duty when he received information from Arvind Kumar at about 6:10 PM that a suspected stolen motorcycle was parked in his courtyard. Upon reaching the house of Tural Singh, the police found a covered Hero Glamour motorcycle bearing registration number BR-39M-6181. During inquiry, it



was revealed that the motorcycle had been parked there by Manish Kumar Singh. The vehicle was taken to the police station, where it was discovered that the registration number affixed to the Glamour motorcycle actually belonged to a different Pulsar motorcycle. After contacting the Pulsar's owner, it was confirmed that the registration number was genuine for his vehicle, thereby establishing that the recovered Glamour motorcycle was stolen. Neither Manish Kumar Singh nor his family produced valid documents for the motorcycle.

4. Learned counsel for the petitioner, by referring to the contents of the F.I.R., submits that the seized motorcycle is said to have been lying in the house of Arvind Kumar and while by referring to the search and seizure memo, submits that under the description of place, no such details are provided. It has next been submitted that the said motorcycle is being shown as a stolen motorcycle while there is no detail with regard to their being any case lodged for theft of said motorcycle. It has further been submitted, by referring to the contents of the F.I.R., that merely because of his antecedent, the petitioner has been falsely implicated in the present case, while, from the F.I.R., it is evident that the said motorcycle was found from the courtyard of Arvind Kumar. The petitioner has three criminal antecedent



and he is on bail in all the said cases.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the motorcycle was kept in the courtyard of one Arvind Kumar and because of his antecedent, the petitioner has been falsely implicated in the present case and there is nothing on record to show a case of theft of the said motorcycle, lodged before the Police. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 C.J.M., Katihar, in connection with Manihari P.S. Case No.237 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide



official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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