

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7590 of 2026

Arising Out of PS. Case No.-353 Year-2025 Thana- ADAPUR District- East Champaran

1. Pramod Sah, S/o Nandu Sah, R/o Village - Pakaha Ward no. 4, P.S - Pokharia, District - Parsa, Nepal
2. Samshad Dewan, S/o Abdul Dewan @ Abdul Haque Sai, R/o Village - Pakaha Ward no. 4, P.S - Pokharia, District - Parsa, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners seek bail in connection with Adapur P.S. Case No. 353 of 2025 dated 21.09.2025 registered for the offence punishable under Sections 317(4), 317(5) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation against the petitioners is that they were apprehended with Apache motorcycle without any registration number which was allegedly stolen one.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that only on the basis of suspicion the



petitioners have been arrested. There was no complain of theft against the said motorcycle. In fact, the motorcycle was borrowed by petitioner no. 2 from a *garage* for visiting the house of the sister of petitioner no. 1. The petitioners are in custody since 22.09.2025, having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.-Ist Class, East Champaran, Motihari in connection with Adapur P.S. Case No. 353 of 2025, subject to the following conditions:-

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

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.



3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

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