

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3440 of 2026

Arising Out of PS. Case No.-202 Year-2025 Thana- SACHIVALAYA District- Patna

Shivam Kumar @ Shivam Choudhary S/o Sonelal Choudhary R/Vill.-
Kathela, P.S.- Kharik, Dist.- Bhagalpur at present Quarter No. D4, Raj
Bhawan, B.G. Camp, P.S.- Sachiwalay, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in
connection with Sachivalaya P.S. Case No. 202 of 2025,
registered for the offences under Sections 304(2) of the BNS.

3. As per the prosecution case, two bike borne
miscreants snatched the mobile phone of the informant while
the informant has been taking a walk. The name of the petitioner
transpired during investigation for being involved in the said
occurrence.

4. Learned counsel appearing on behalf of the
petitioner submits the petitioner is innocent and has been falsely
implicated in this case. There is no involvement of the petitioner



in snatching the mobile phone and his name came up on the basis of confessional statement of one Siddharth Gupta which has got no legal sanctity. No stolen article was recovered from the possession of the petitioner. Recovery of two mobile phones have been shown from the petitioner but both the mobile phones belong to this petitioner. The petitioner has been dragged in this case due to his criminal antecedents as he is having antecedent of ten cases and he is in custody since 17.10.2025. Charge sheet has been submitted.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is a habitual offender and is accused in a number of cases of similar nature.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that no recovery of stolen article has been shown from the petitioner and also considering his period of custody and submission of charge sheet., the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned ACJM-II, Patna/concerned court, in connection with Sachivalaya P.S. Case



No. 202 of 2025, subject to the condition laid down under
Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close
relative of the petitioner.

(ii) The petitioner will remain present on
each and every date fixed by the court
below, if so required by the learned trial
court.

(iii) In case of absence on three
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.

(Arun Kumar Jha, J)

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