

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5387 of 2026

Arising Out of PS. Case No.-258 Year-2025 Thana- Kavaiya District- Lakhisarai

Prem Ranjan Kumar S/O Sanjay Singh Resident of Village - Rajauna Chauki,
P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-01-2026 Heard Mr. Sanjeev Kumar, learned counsel for the
petitioner and Mr. Upendra Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 28.06.2025, in connection with Kabaiya P.S. Case No. 258 of 2025, F.I.R. dated 27.06.2025 registered for the offences punishable under Sections 303(2), 317(2), 317(4), 11, 3(5) of the B.N.S.

3. As per the prosecution case, the petitioner has been found to be involved in motorcycle theft.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.



He further submits that there is non compliance of Section 103 of B.N.S, 2023 and similarly situated co-accused person namely Ashok Kewat from whose possession one motorcycle was recovered has been granted bail by a Coordinate Bench of this Court vide order dated 09.09.2025 passed in Cr. Misc. No. 60891 of 2025. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 28.06.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and similarly situated co-accused person has been granted bail by a Coordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Kabaiya P.S. Case No. 258 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 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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