

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6986 of 2026

Arising Out of PS. Case No.-1126 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

Nikhil Kumar Sahi, Son of Vinod Sahi @ Vinod Sahi, Resident of Village -
Harka Manshahi, P.S.- Minapur, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

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

2. The petitioner seeks bail in connection with
Ahiyapur P.S. Case No. 1126 of 2025 dated 13.08.2025
instituted for the offence punishable under Sections 303(2) of
the Bhartiya Nyaya Sanhita, 2023

3. As per the F.I.R., someone had stolen motorcycle of
the informant bearing Reg. No. UK17D 2224 from the market
where he went to buy vegetables.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. Learned counsel for the petitioner submits that for the
same occurrence, two F.I.Rs. have been lodged; firstly, present
F.I.R. for committing theft of the motorcycle and another i.e.



Minapur P.S. Case No. 423 of 2025 for recovery of the motorcycle. The petitioner has been made accused in both the cases. It is further submitted that in Minapur P.S. Case No. 423 of 2025, the petitioner has been granted bail vide order dated 28.01.2026 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 3347 of 2026. Learned counsel for the petitioner submits that the present F.I.R. has been lodged against the unknown person. Only on the basis of suspicion, the petitioner has been made accused in this case. Nothing has been recovered either from the conscious possession of the petitioner or from his house rather the said motorcycle was recovered from the market place. Lastly, it has been submitted that the petitioner is in custody since 01.11.2025 having three criminal cases against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in Ahiyapur P.S. Case No. 1126 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.
5. The petitioner within two weeks after his release from custody shall appear before the local police station along with a copy of this order and



thereafter shall appear in the first week of every month to mark his attendance till framing of charge.

(Khatim Reza, J)

premchand/-

U		T	
---	--	---	--

