

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8385 of 2026

Arising Out of PS. Case No.-167 Year-2024 Thana- KHAGAUL District- Patna

SANTOSH SAO Son of Om Prakash Sao Resident of Savuri Nagar, Police
Station - Rupaspur, District - Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam, Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Khagaul P.S. Case No. 167 of 2024 dated 25.05.2024
registered for the offences punishable under Section 379 of the
Indian Penal Code.

3. As per the prosecution case, the informant has
alleged that he had gone to a market and came out, he found his
motorcycle was missing on the spot.

4. The learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. and his name has transpired
in the confessional statement of the co-accused, Sahil Singh @
Suraj Singh who has disclosed the name of the petitioner as an
accomplice. It has further been submitted that no incriminating



article has been recovered from the conscious possession of the petitioner or from his house and three motorcycles were recovered from the house of the co-accused, Sahil Singh. It has further been submitted that there is nothing on record to connect the petitioner with the aforesaid crime. It has lastly been submitted that the petitioner has one criminal antecedent of similar offence.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Khagaul P.S. Case No. 167 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-



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

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two 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.

(iv) The trial court 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 trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Gautam/-

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