

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9416 of 2026

Arising Out of PS. Case No.-111 Year-2025 Thana- FESHAR District- Aurangabad

Rohit Kumar S/O Vishnupat Mehta @ Bisunpat Mehta R/O Vill.- Daulatpur
Ganj, P.S.- Obra, Dist.- Aurangabad. Owner of Apache Motorcycle bearing
Reg- BR26AA 6267

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-03-2026 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Fesar Police Station Case No. 111 of 2025, dated
15.09.2025, disclosing offences under Sections 303(2) of
the Bhartiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report,
is that on 13.09.2025, in the night at about 09:00 PM, the
informant visited his field to see motor installed in the
field for irrigation purpose, but the same went missing.
The informant raised alarm upon which the persons
residing nearby assembled there. In the meanwhile, one
four wheeler vehicle crossed rashly at a distance of 500



meters from the field of the informant towards Aurangabad. The informant informed the police about the occurrence by dialing 112 and the police arrived there and found one Apache Motorcycle, bearing No. BR26-AA-6267, parked in abandoned condition at a distance of about 01 km from the field of the informant. It was also found that the motor of one Pramod Mehta was stolen by unknown thieves. A suspicion has been raised that the motorcycle parked in abandoned condition was being used for the purpose of theft of motors.

4. Learned counsel for the petitioner submits that the petitioner has been dragged in this case merely because he happens to be the owner of the motorcycle and has been made accused on suspicion only. He next submits that during course of investigation one Govind Kumar, ASI Excise, was examined and his statement was recorded at page no. 20 of the case diary, in which, the ASI has stated that one Golu @ Sudhir Kumar was working as a spy for the excise police and was helping them. He further submits that as per the statement of the ASI the aforesaid motorcycle was being used by Golu @ Sudhir Kumar which belongs to his cousin i.e. the



petitioner. The petitioner is having no criminal antecedent.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent and the statement of ASI Excise Police recorded during investigation as stated in para no. 15 of the bail application, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Fesar Police Station Case No. 111 of 2025, subject to the condition laid down under Section 482 (2) of the Bhartiya Nyaya Sanhita.

(Anil Kumar Sinha, J)

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