

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12212 of 2026

Arising Out of PS. Case No.-167 Year-2025 Thana- AMAS District- Gaya

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Bhim Kumar, Male, aged about 27 years, Son of Pradeep Paswan, Resident of
Village- Bichha, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Amas P.S Case No. 167 of 2025 for the offences punishable
under Sections 317(5), 318(4), 336(3), 338 of BNS.

3. As per allegation in the FIR, it is case of stolen a
motorcycle bearing Registration No. BR-02BL-2916.

4. Learned counsel for the petitioner submits that
petitioner is innocent has falsely been implicated in this case
due to dirty village politics. He further submits that the
petitioner is named in the FIR and his name has been surfaced
only on the basis of suspicion. He next submits that nothing has
been recovered from the conscious possession of the petitioner.
He lastly submits that after completion of the investigation, the
police has submitted charge sheet against him. He again submits



that petitioner is in judicial custody since 30.05.2025 and petitioner has got clean antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. From perusal of the FIR and the impugned order of the learned District and Additional Sessions Judge-1st, Sherghati, Gaya dated 22.01.2026, it appears that on the basis of the written report of the informant namely, Akhilesh Kumar, Sub-Inspector of Police, FIR has been registered under Sections 317(5), 318(4), 336(3), 338 of BNS against the present petitioner and the allegation is of stolen a motorcycle bearing Registration No. BR-02BL-2916. It also appears that this is the second attempt for bail. Earlier the prayer for bail of the petitioner was rejected by this Court passed in Cr. Misc. No. 52258 of 2025 vide order dated 15.10.2025 with an observation that the petitioner is at liberty to renew his prayer for regular bail before the trial Court after completion of period of six months of custody. Petitioner is in custody since 30.05.2025 after almost about six months and the allegation against the petitioner is for the offence under Sections 317(5), 318(4), 336(3), 338 of BNS and the petitioner has got clean antecedent



as stated in para 3 of the petition, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly, the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st, Class, Sherghati, Gaya in connection with Amas P.S. Case No. 167 of 2025.

(Ramesh Chand Malviya, J)

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