

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15329 of 2026**

Arising Out of PS. Case No.-164 Year-2025 Thana- BALIA BELON District- Katihar

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Suman Kumar Sah @ Suman kumar S/o Late Yogeshchandr Sah Resident of
Village- Bhelaganj, P.S- Balia Belown, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kunwar Ajit Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 11-03-2026 Heard Mr. Kunwar Ajit Singh, learned counsel for

the petitioner and Mr. Parmanand Prasad, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
24.10.2025 in connection with Balia belown P.S. Case No. 164
of 2025, F.I.R. dated 23.10.2025 for the offences punishable
under Sections 317(2), 317(5), 318(4) of the B.N.S. Act.

3. Allegation against the petitioner is that he was
apprehended with one stolen motorcycle.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. The allegation as alleged in the FIR is false and
fabricated and the petitioner has not committed any offence as
alleged in the FIR. The petitioner was apprehended along with



accused person with the motorcycle and they have not produced any valid paper of the motorcycle. It appears from the FIR/seizure list that no incriminating article has been recovered from the conscious possession of the petitioner and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 24.10.2025.

5. Learned APP for the State on the other hand vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries three criminal antecedents other than present one but fairly submits on the basis of paragraph 3 of the bail petition that petitioner is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 3rd Katihar in connection with Balia belown P.S. Case No. 164 of 2025, with the following conditions:

i. 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 her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

ii. 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.

iii. 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 antecedent, 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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