

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17906 of 2026

Arising Out of PS. Case No.-35 Year-2025 Thana- KARPI District- Arwal

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Bala Kumar @ Bala Ji Son of Kamlesh Mistri @ Kamesh Mistri Resident of
Village - Kusre, P.S.- Karpi, District- Arwal. In FIR stated as - Resident of
Village- Mali, P.S.- Banshi, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Singh, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-05-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 317(5) of the
BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that he received an information that petitioner has kept a
stolen motorcycle in the house of his Late maternal grandfather,
namely, Awadhesh Mistri, accordingly, the police force reached
the place of occurrence and found a motorcycle in the lane
where the house of the maternal grandfather of the petitioner is
situated and, on inquiry, it transpired that the motorcycle
belongs to Monoj and Monoj disclosed that the motorcycle was



stolen for which an FIR has been instituted at Phulwari Sharif Police Station.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that he received an information that petitioner has concealed a stolen motorcycle in the house of his Late maternal grandfather but then the motorcycle was not recovered from the house but from the lane, as such, it is submitted that had the petitioner stolen the motorcycle in that event he would not have kept the motorcycle in an open place, rather would have tried to conceal the same. It is next submitted that even the petitioner was not present at the place of occurrence. It is also submitted that petitioner is a young boy, aged about 22 years and, in the nature of allegation, as alleged, if he is sent to judicial custody his entire career would get jeopardized and chances are bright that he may come in contact with the hardened criminals. It is submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in investigation to prove his innocence.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Karpi P.S. Case No. 35 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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