

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16808 of 2026

Arising Out of PS. Case No.-501 Year-2024 Thana- GARDANIBAG District- Patna

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1. Vikash Kumar Son of Karfu Sao R/O Ambedkar Chowk, Chitkohra, P.S- Gardanibag, District- Patna.
 2. Golu Kumar Son of Karfu Sao R/O Ambedkar Chowk, Chitkohra, P.S- Gardanibag, District- Patna.

... .. Petitioner/s

Versus

State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate
For the State : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-03-2026 Heard Mr. Dharendra Prasad Sinha, learned counsel for the petitioners and Mr. Ashok Kumar Singh, learned APP for the State.

2. Petitioners seek bail, who are in custody since 12.12.2025, in connection with Gardanibagh P.S. Case No. 501 of 2024, F.I.R. dated 15.09.2024 registered for the offences punishable under Sections 317(4), 317(5) of the B.N.S.

3. The case relates to recovery of 22 mobile from the house of the petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not



committed any offence as alleged in the F.I.R. As per allegation in the F.I.R., altogether 22 mobiles were recovered from the house of the petitioners. Learned counsel for the petitioners submits that all the mobiles which are mentioned in the seizure list is not the looted mobile and the same was received from the owner of the mobile for repairing the same and there is non complinace of Sections 103/105 of the B.N.S.S. He further submits that the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 12.12.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners and submits that the recovery has been made from the house of the petitioners and apart from aforesaid the petitioners carry four more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioners are on bail in the pending matters.

6. Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna in connection with Gardanibagh P.S. Case No. 501 of 2024, subject to the following conditions :-



(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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