

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17719 of 2026

Arising Out of PS. Case No.-356 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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Sunil Choudhary S/o- Vijay Choudhary R/v- Sherghati Chati Ps- Sherghati
Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-03-2026 Heard Mr. Dilip Kumar Roy, learned counsel for
the petitioner as well as Ms. Anita Kumari, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
14.01.2026 in connection with Aurangabad Town P.S. Case No.
356 of 2018, F.I.R. dated 28.11.2018 for the offences punishable
under Sections 379 of the Indian Penal Code.

3. According to prosecution case, it is alleged that
some unknown person stole his motorcycle when the informant
parked it near a shop.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. Petitioner is not named in the FIR and his name



transpired during investigation on the basis of confessional statement of co-accused, Pintu and Devanand and thereafter one motorcycle was recovered from the house of the petitioner. He further submits that there is non-compliance of Section 103 and 105 of B.N.S.S and the petitioner is in custody since 14.01.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries five criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matters.

6. Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No. 356 of 2018, subject to 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 his absence on two consecutive dates without sufficient reason, his 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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