

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18587 of 2026

Arising Out of PS. Case No.-476 Year-2025 Thana- PATNA CITY CHOWK District- Patna

Roshan Kumar @ Raushan Kumar S/O Late Sunil Giri R/V - Kaimashikoh
Kauhakoh, P.S- Chowk, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Ambastha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr.Rajeev Kumar Ambastha, learned counsel
for the petitioner and Mr.Sanjay Kumar Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
09.11.2025 in connection with Chowk P.S. Case No. 476 of
2025, F.I.R. dated 09.11.2025 registered for the offence
punishable under Sections 303(2), 317(2) of BNS.

3. Allegation against the petitioner is that he was
apprehended with stolen motorcycle while he was carrying it
away.

4. Learned counsel for the petitioner submits that the
allegation as alleged in the FIR is false and fabricated and the
petitioner has not committed any offence as alleged in the FIR.
From a bare perusal of the FIR it appears that nothing has been



recovered from conscious possession of the petitioner rather the recovery has been made near the petitioner and petitioner has been made accused in the present case merely on the basis of suspicion and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 09.11.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition, apart from that, the motorcycle in question has been recovered from possession of the petitioner.

6. Considering the aforesaid facts, 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 learned A.C.J.M.-VI, Patna City in connection with Chowk P.S. Case No. 476 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 his/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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