

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20792 of 2026

Arising Out of PS. Case No.-439 Year-2025 Thana- MUFFASIL District- Aurangabad

Om Prakash Kumar @ Chhati Kumar @ Chhotiya Yadav S/O Krishna Yadav
Resident of Village- Chatrea, P.S.- Phesar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Aurangabad (Muffasil) P.S. Case No.439 of 2025 registered for the
offence punishable under Section 303(2) of the Bharatiya Nyaya
Sanhita (in short 'B.N.S.').

3. The case of the prosecution, in short, is that unknown
miscreants have stolen the bike of the informant.

4. Learned counsel appearing on behalf of the petitioner
has submitted that during course of investigation one Md. Kaif
was apprehended and he has given his confessional statement. It
has further been submitted that the learned trial court has recorded
that the said Md. Kaif had confessed before the I.O. that he has
been doing the aforesaid crime at the instance of the petitioner to
get a part of money on each and every crime. Learned counsel for
the petitioner has further submitted that the bike was not recovered



from the possession of this petitioner. Save and except the confessional statement there is nothing against him. Learned counsel for the petitioner has further submitted that the petitioner is in judicial custody since 16.01.2026.

5. The application for bail is opposed by learned APP for the State. Learned APP has further stated that the petitioner is having criminal antecedent of three cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail *with the condition that one of the bailor should be near relative of the petitioner; the petitioner shall co-operate in the trial and the petitioner shall remain physically present on each and every date in the trial court whenever required.* The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned C.J.M., Aurangabad in connection with Aurangabad (Muffasil) P.S. Case No.439 of 2025.

(Ashok Kumar Pandey, J)

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