

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28314 of 2026

Arising Out of PS. Case No.-71 Year-2025 Thana- Dagmara District- Supaul

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Gauri Mandal @ Gauri Kumar Mandal Son of Puran Mandal R/O- Maini,
Ward No.13, P.S. - Andharmatarhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Kumar, Adv.
For the Opposite Party/s : Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 15-07-2026

Heard Mr. Dinesh Kumar, learned Advocate for the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Dagmara P.S. Case No. 71 of 2025, registered for the offences punishable under Section 303(2) of the BNS.

3. Allegedly the motorcycle of the petitioner was seized in connection with Dagmara P.S. Case No. 58 of 2024 dated 19.11.2024 and the same was kept in police premises. Despite being informed by the officers of the police station that the motorcycle could only be released upon a Court order, the petitioner stealthily taken away the motorcycle and this fact has also been verified by the CCTV footage.



4. Learned Advocate for the petitioner submitted that the petitioner is registered owner of the motorcycle in question which was admittedly seized in connection with Dagmara P.S. Case No. 58 of 2024 and when he went to enquire about the motorcycle, then he was asked to bring the order of the court and thus he left the premises of the police station, but subsequently only on suspicion the name of the petitioner has been implicated in this case, that it is the petitioner who is taken away the motorcycle. Since the petitioner was well aware that his motorcycle was seized, and as such, there was no reason or occasion of fleeing away with the motorcycle without getting the order of a competent Court. Subsequent thereto, the motorcycle has also been recovered and again kept in a judicial custody. The petitioner is ready to co-operate with the proceeding and undertakes that he will take judicial recourse for release of his vehicle.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submitted that the petitioner was identified in the CCTV footage, while he was fleeing away with his motorcycle.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the CCTV



footage has not specifically disclosed the identity of the petitioner and the motorcycle has been recovered and again kept into judicial custody, besides the undertaking of the petitioner that he is ready to co-operate with proceeding, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.F.C., Birpur, Supaul in connection with Dagmara P.S. Case No. 71 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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