

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29037 of 2026

Arising Out of PS. Case No.-172 Year-2024 Thana- ARERAJ District- East Champaran

Abhay Sharma @ Nirbhay Sharma @ Abhay Kumar Sharma @ Nirbhay
Kumar Sharma S/o Late Gora Sharma, R/o Village- Sharma Tola, P.S.- Areraj,
District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending
his arrest in connection with Areraj P.S. Case No.172 of 2024,
registered under Sections 1331(4)/305 of BNS.

3. As per the prosecution case, a theft was committed
in the dwelling house of the informant and the thieves took
away a television and mobile phone of the informant. The name
of the petitioner transpired during investigation for being
involved in the aforesaid theft.

4. The learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. The name of the petitioner came up in this case as the



petitioner purchased a mobile phone from co-accused Rohit Sharma and gave it to his brother for use, who put a SIM card in it. The police traced the IMEI number of the mobile and when the brother of the petitioner came to know that mobile phone was stolen, he produced it before the police. The learned counsel further submits that the petitioner has not been knowing that the mobile phone was stolen. The co-accused Rohit Sharma has been surrendered and on assurance of this co-accused, the petitioner purchased the mobile phone that he would give him the papers after some time, but no such paper was given to him. The petitioner is having antecedent of one case of different nature and he is on bail in such case.

5. The learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the possibility of false accusation, let the petitioner above named in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V,



Motihari, East Champaran/court concerned, in connection with
Areraj P.S. Case No. 172 of 2024, subject to the condition laid
down under Section 482 (2) of the BNSS, 2023 and other
following conditions:

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each
and every date fixed by the below, if so required
by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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