

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35797 of 2026

Arising Out of PS. Case No.-156 Year-2026 Thana- DHAKA District- East Champaran

Subhas Kumar Son of Nagina Rai Resident of Village - Gahai, P.S.- Dhaka,
District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 317(4), 317(5), 338, 336(3), 340(2) and 303(2) and 3(5) of the B.N.S.

3. As per the F.I.R., on 22.03.2026, during a routine vehicle checking drive, the petitioner was intercepted by the police while riding a motorcycle. Upon verification, the motorcycle was suspected to be a stolen vehicle. During interrogation, the petitioner disclosed that he had purchased the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner had purchased the said motorcycle in question from co-accused, Vinesh @ Vidilal and he has no knowledge



whatsoever that the motorcycle was stolen one. Further, there is no independent witness to the search and seizure, as such, mandatory provisions have also been violated. The petitioner is in custody since 23.03.2026 and charge-sheet has already been submitted.

5. Learned APP for the State opposed the grant of bail on the ground that the petitioner has one criminal antecedent. However, in response it has been submitted that the petitioner is on bail in the said case and he undertakes to co-operate in the trial.

6. Taking into consideration the facts and circumstances and considering the fact that the petitioner had purchased the said motorcycle and further, considering the submission that the petitioner had purchased the said motorcycle from co-accused and charge-sheet has already been submitted, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, East Champaran at Motihari/concerned Court below in connection with Dhaka P.S. Case No. 156 of 2026 subject to condition that:-



(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister.

(ii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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