

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38524 of 2026

Arising Out of PS. Case No.-178 Year-2026 Thana- KHAJEKALA District- Patna

Shivam Kumar S/O Shiv Chandra Ray @ Sikandar Yadav Resident of Sadipur
Langru Akhara, Station Road, Police Station- Alamganj, District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Chandra, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 303(2) and 317(5) of the B.N.S.

3. The case of the prosecution, in short, is that the informant has caught the petitioner and one other with a stolen CNG auto and handed over him to the police.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that nothing has been recovered from his possession. It has further been submitted that the informant deals in buying and selling 2nd hand auto rikshaw. A few days ago, the petitioner expressed his desire to purchase a 2nd



hand auto. The informant then informed him that a 2nd hand auto is available for sell at a price of Rs. 1,50,000/-. The petitioner assured the informant that he will borrow some money from a friend and then pay the full amount and buy the auto. It has further been submitted that the petitioner had paid Rs. 10,000/- despite that, the informant was neither giving him the auto rikshaw nor was returning the cash that is why there is dispute between the parties and he has been framed in this case by the informant. Petitioner is languishing in judicial custody since 17.03.2026.

5. Learned APP appearing for the State has vehemently opposed the application for bail.

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. 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 learned Judicial Magistrate 1st Class, Patna City in connection with Khajekala P.S. Case No. 178 of 2026.

(Ashok Kumar Pandey, J)

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