

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38560 of 2026

Arising Out of PS. Case No.-96 Year-2026 Thana- PATLIPUTRA District- Patna

Mohammad Ashik @ Ashik Khan S/o Mohammad Shakil R/o vill- Gate No-
80 Hamipur Kurjee ,P.S- Digha ,District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Himanshu Kumar Ranjan, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Patliputra P.S. Case No. 96 of 2026 dated 19.02.2026 instituted for the offences punishable under Sections 303(2) and 317(2) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant, who is an authorized dealer of TVS company has his workshop at the Patliputra Industrial Area, found some motorcycles to be missing. Subsequently, he came to know that one Gautam Kumar was allegedly involved in stealing the motorcycles along with his associates and he managed to chase Gautam Kumar and intercepted him where the motorcycle was recovered. It was the said apprehended Gautam Kumar, who disclosed the name of



other accused persons including the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated and there is no specific allegation that he was the person who was involved in the theft of the motorcycle. It has further been submitted that the name of the petitioner has surfaced on the confessional statement of the apprehended accused Gautam Kumar, who has falsely implicated the petitioner out of personal differences. It has lastly been submitted that the petitioner carries clean antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to 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, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 10, Patna in connection with Patliputra P.S. Case No. 96 of 2026, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners and the other shall be a local resident:



(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court and shall cooperate in the investigation;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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