

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41170 of 2026

Arising Out of PS. Case No.-53 Year-2026 Thana- ARA RAIL P.S. District- Bhojpur

Kishun Mali S/o- Bir Singh Mali Resident of Village- Chausha Station, North
Nayaipur, PS- Muffasil, District- Buxar,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastri, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Ara GRPS Case No.53 of 2026 registered for the offence punishable under Sections 317(5) & 3(5) of the BNS.

3. The case of the prosecution, in short, is that from possession of this petitioner a stolen mobile and a piece of blade was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that nothing has been recovered from the possession of this petitioner. It has been submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. It has been submitted that the petitioner has stolen mobile phones



from railway passengers and he was apprehended from the railway station.

5. The application for bail is opposed by learned APP for the State.

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 with the following conditions:-

(i) the petitioner shall co-operate in the trial;

(ii) shall remain physically present on each and every date in the learned trial court, whenever required and

(iii) shall also mark his weekly attendance at Ara P.S.

7. 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 court of learned Rail Judicial Magistrate, Ara Bhojpur in connection with Ara GRPS Case No.53 of 2026.

(Ashok Kumar Pandey, J)

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