

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46295 of 2026

Arising Out of PS. Case No.-134 Year-2026 Thana- KALYANPUR District- East Champaran

Awanish Kumar Singh @ Awanish Kumar @ Kumar Vishwajit Singh @
Avneesh Kumar Singh S/O Birendra Singh @ Virendra Singh Resident of
Village-Vasdev Chhapra, P.S-Kalyanpur, District-East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-07-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kalyanpur P.S. Case No. 134 of 2026 instituted for the offence
under Sections 317(4), 317(5) & 3(5) of the Bharatiya Nyaya
Sanhita, 2023.

3. As per prosecution case, there is recovery of three
stolen motorcycles from the house of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 22.03.2026. Petitioner
bears five (5) criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. Save and except confessional statement of the petitioner, there is no material against the petitioner and also the same has no evidentiary value in the eye of law. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and nature of accusation, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kalyanpur P.S. Case No. 134 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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