

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44266 of 2026

Arising Out of PS. Case No.-128 Year-2026 Thana- CHHAURADANO District- East
Champaran

Sunil Rai Yadav S/O Ramshray Rai Yadav Resident of village - Beldhari, P.S-
Semrongarh, Dist- Bara (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner has prayed for bail registered for the
offence punishable under Sections 303(2) and 317(5) of the
B.N.S., 2023.

3. The case of the prosecution, in short, is that the
petitioner was apprehended with a stolen bike.

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. He also submits that nothing has been recovered from the
possession of the petitioner. The witnesses of the seizure list are
police personnel and the police have not complied with Section



105 of the BNSS while making the seizure. He further submits that from perusal of the seizure list, it will transpire that the place of recovery is the premises of Chhauradano police station. He further submits that the seizure list itself goes to show that the recovery was made from the premises of the police station. He further submits that the present case is triable by the Judicial Magistrate, 1st Class. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 16.04.2026.

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. 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, Motihari, East Champaran in connection with Chhauradano P.S. Case No. 128 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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