

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45497 of 2026

Arising Out of PS. Case No.-167 Year-2026 Thana- KESARIA District- East Champaran

Hakim kumar Yadav @ Haki Kumar Yadav son of Hazari Rai Resident of
village - Kadhan, Ps- Kesariya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL

ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kesariya P.S. Case No. 167 of 2026 instituted for the offences
under Sections 303(2), 317(5), 318(4) of the Bharatiya Nyaya
Sanhita.

3. The allegation is that the informant along with the
police party proceeded for patrolling. They found that a person
namely Hakim Kumar Yadav (petitioner) was riding a Hero
Honda Splendor motorcycle. The motorcycle appeared to be a
stolen one as the chassis of the same was rubbed off and the
motorcycle could not be identified.

4. Learned counsel for the petitioner submits that the
petitioner was arrested with a motorcycle where the chassis



number was erased and the engine number was illegible and no details of the vehicle were gathered by the police. The petitioner has been in custody since 23.04.2026.

5. Learned counsel for the petitioner submits that at this stage it would be difficult to pin the blame of the theft of the motorcycle on him unless and until the same is recovered. He has antecedents in four cases.

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

7. Considering that neither the theft of the motorcycle nor the ownership of the motorcycle has been determined and there is no point in keeping the petitioner in custody, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Motihari, East Champaran/concerned Court in connection with Kesariya P.S. Case No. 167 of 2026.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case



and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

abhishekk/-

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