

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46798 of 2026

Arising Out of PS. Case No.-94 Year-2026 Thana- PHENHARA District- East Champaran

Sumit Kumar Son of Gopalji Mishra Resident of Village - Nayagaon Bhodha,
P.S. - Shyampur Bhatahan, District - Sheohar

... .. 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. Kumar Veerendra Narayan, APP

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

ORAL ORDER

2 21-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Phenhara P.S. Case No. 94 of 2026 instituted for the offences under Sections 303(2), 317(2), 317(4), 317(5), 111(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that during vehicle checking, the police recovered a stolen motorcycle from two apprehended persons, whose disclosures led to the arrest of the petitioner and other co-accused along with the recovery of one stolen motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No



incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the alleged recovered stolen motorcycle. He further contended that the motorcycle in question has been recovered from the joint possession of the petitioner and co-accused Prince Kumar. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.04.2026 and has one criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phenara P.S. Case No. 94 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)

Alok Verma/-

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