

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48245 of 2026

Arising Out of PS. Case No.-396 Year-2026 Thana- GARDANIBAG District- Patna

Sikki Kumar @ Aryan Kumar S/O Surendra Singh @ Surendra Prasad R/O
Near New Brahmpur, P.s.- Ram Krishna Nagar, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and
learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Gardanibagh P.S. Case No. 396 of 2026 registered for the alleged offences under Sections 317(2), 317(5), 3(5) of BNS.

03. As per prosecution case, the petitioner and two other co-accused persons were apprehended from a stolen four wheeler which was intercepted on the basis of secret information. The mobile phones were also recovered from the petitioner and other co-accused persons.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner is merely a driver and was having no knowledge about the vehicle being stolen. The petitioner has been driving the vehicle on behalf of Raushan Kumar. Nothing incriminating has been recovered from the person or possession of the petitioner. The mobile phone seized from the petitioner belongs to the petitioner. Learned counsel further submits that the mandatory provisions of law have not been followed and there is non-compliance of Section 103(4) of BNSS apart from other procedures. The petitioner is having antecedent of five cases but these cases are under Bihar Prohibition and Excise Act. The petitioner is in custody since 09.05.2026 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is having antecedent of five cases.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to 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 Additional Chief Judicial Magistrate-XIII, Patna



/concerned Court in connection with Gardanibagh P.S. Case No. 396 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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