

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50069 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- MAJORGANJ District- Sitamarhi

Dhanraj Mahto S/o Uttim Mahto R/o Village- Bhalohiya, P.S- Majorganj,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-01-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Majorganj P.S. Case No. 121 of 2025, registered for the offences punishable under Sections 317(4) 317(5) of the BNS.

3. The police, in course of vehicle checking, on an information that some persons engaged in selling of theft motorcycle standing at a Chowk with a stolen motorcycle, rushed to the place of occurrence and apprehended one Rameshwar Mahto along with the motorcycle bearing registration No. BR-06DD-5696. The apprehended person disclosed that it is the petitioner and one Niranajan Mohto who had sold the motorcycle on payment of Rs.5,000/-

4. Learned Advocate for the petitioner submitted that except the confessional statement of the apprehended person,



there is no material suggesting that the motorcycle in question was stolen by the petitioner or the other. The disclosure of the name of the petitioner along with one Niranjan Mahto does not crystallize as to who is the person, who had sold the vehicle. The fair antecedent of the petitioner clearly suggests that he has never been involved in any offence; moreover the motorcycle in question was the subject matter of theft in Sahiyara P.S. Case No. 224 of 2023, wherein the petitioner was not even the named accused person.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the apprehended person from whose possession the stolen motorcycle was recovered has disclosed the name of the petitioner.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that save and except the confessional statement of the apprehended person, there is no other material suggesting the complicity of the petitioner in the crime, besides his fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a



copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Sitamarhi in connection with Majorganj P.S. Case No. 121 of 2025 subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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