IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63237 of 2026

CNR No. BRHC010915172026

Arising Out of PS. Case No.-124 Year-2026 Thana- RAJNAGAR District- Madhubani

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Om Prakash Sah S/O Rajgir Sah Resident of village- Garha, P.S.- Deodha, District- Madhubani

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate
For the State : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

5 29-10-2026 Heard learned Counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Rajnagar P.S. Case No. 124 of 2026 arising out of G.R. No. 740 of 2026, lodged on 11/03/2026, for the offences punishable under Section 303(2) of the Bhartiya Nyaya Sanhita, 2023, pending in the Court of C.J.M, Madhubani.

3. As per the prosecution, FIR has been lodged against unknown persons with allegation that accused person theft the motorcycle of the informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that name of the petitioner has come in this case

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at the instance of the police. Counsel further submits that nothing was recovered from the possession of the petitioner. Counsel further submits that name of the petitioner has been inserted in this case due to the reason that the alleged motorcycle was recovered from the possession of this petitioner with allegation of carrying illicit liquor. Counsel further submits that criminal antecedent of the petitioner is not clean as there is one criminal antecedent pending against him in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that it is true that recovery of motorcycle has been made from the possession of the petitioner but it is also true that the said motorcycle was used for carrying liquor for which the petitioner was apprehended and due to this reason the petitioner has been made accused in this case.

6. Considering the nature of allegation and criminal antecedent of the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, the present bail application is hereby rejected at present.

(Dr. Anshuman, J)

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