

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68840 of 2025

Arising Out of PS. Case No.-145 Year-2025 Thana- DIDARGANJ District- Patna

1. Rahul Mahto @ Kallu S/o Vaijnath Mahto @ Baijnath Mahto R/o Village-Fatehjangpur, PS- Nadi, Distt- Patna
2. Shambhu Rai @ Shambhu Kumar S/o Late Krishna Rai R/o Village-Fatehjangpur, PS- Nadi, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mrs. Shaheen Begum, APP.

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

ORAL ORDER

3 28-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Didarganj P.S. Case No. 145 of 2025 instituted for the offences
under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that on 03.05.2025,
police raided an orchard at village Nijampur and arrested six
persons while allegedly selling stolen motorcycles, seizing three
stolen bikes from their possession.

4. Learned counsel for the petitioners submitted that



the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioners have got no concern with the recovered motorcycles. Learned counsel further submitted that T.I.P. has not been conducted till date to ascertain the involvement of the petitioners in the alleged offence. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioners that the petitioners are in custody since 04.05.2025 and have no criminal antecedent. The co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 18.12.2025 passed in Cr. Misc. No. 68464 of 2025.

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

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Didarganj P.S. Case
No. 145 of 2025.

Alok Verma/- **(Rudra Prakash Mishra, J)**

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