IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72786 of 2026

CNR No. BRHC011053402026

Arising Out of PS. Case No.-186 Year-2025 Thana- Bypass District- Bhagalpur

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Rakesh Kumar Yadav S/o Late Umesh Yadav Resident of Village - Bidonchak Diggipokhar, Police Station - Amarpur, District - Banka.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md Huzaifa, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for bail registered for the offence punishable under Section 303(2) of the B.N.S., 2023.

3. The case of the prosecution, in short, is that unknown miscreants have stolen the bike of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel further submits that the said bike was recovered from the possession of the petitioner in connection

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with Amarpur P.S. Case No. 886 of 2025 and that, on the basis of the said recovery, the petitioner's name surfaced in the present case. He further submits that nothing has been recovered from the possession of the petitioner in connection with the present case. The witnesses of the seizure list are police personnel and the police have not complied with the provisions of Section 105 of the BNSS while making the seizure. He further submits that the offences alleged are triable by Judicial Magistrate, First Class. Moreover, the petitioner is languishing in judicial custody since 18.04.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has got criminal antecedent of five cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail **with the conditions that the petitioner shall cooperate in trial, shall remain physically present on each and every date fixed by the learned trial court and one of the bailors shall be his near relative.**

7. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten

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thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Bypass P.S. Case No. 186 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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