

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81500 of 2025

Arising Out of PS. Case No.-282 Year-2024 Thana- ROSERA District- Samastipur

Niraj Kumar @ Niraj Kumar Mahto S/O Ram Dinesh Mahto Resident of
Village - Bataha, Ward No.- 11, P.O- Udaypur, P.S- Rosera ,Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Bharat Lal, A.P.P.

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

ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Rosera
P.S. Case No. 282 of 2024, instituted for the offences under
Sections 317(2), 317(5), 338, 336(3) and 340(2) of the
Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that Police raided the
house of co-accused and recovered three motorcycles without
any proper document.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
petitioner has valid paper of the said motorcycles. No
incriminating/looted article has been recovered from the
conscious possession of the petitioner. Learned counsel further



submitted that petitioner has got no concern with the stolen motorcycle. After investigation Charge-sheet has been submitted in this case u/s 317(2), 317(5), 338, 336(3) and 340(2) of the I.P.C. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.08.2025 and has three criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

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

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rosera P.S. Case No. 282 of 2024, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two



consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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