

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77529 of 2025

Arising Out of PS. Case No.-270 Year-2025 Thana- RIGA District- Sitamarhi

Shubham Sah Son of Ravi Shankar Sah Resident of Village- Basha Ward No. 8, P.S.- Bajpatti, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the State : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 21-01-2026 Heard Mr. Birendra Kumar, learned counsel for the
petitioner and Mr. Anant Kumar 1, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 15.07.2025, in connection with Riga P.S. Case No. 270 of 2025, F.I.R. dated 14.07.2025 registered for the offences punishable under Sections 317(5), 3(5) of B.N.S., 2023.

3. Allegation against the petitioner is that he was caught red handed with the stolen motorcycle.

4. Learned counsel for the petitioner submits that although the petitioner was apprehended along with the motorcycle in question but there is non compliance of Section 103(4) of the B.N.S., 2023 and co-accused person namely Shiv Shankar Raut who was also apprehended along with the petitioner has been granted bail by the learned Court below



itself vide order dated 26.11.2025 passed in B.P. No. 1285 of 2025. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.07.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that recovery has been made from the possession of the petitioner and petitioner has accepted that the recovered motorcycle is the looted motorcycle and apart from aforesaid the petitioner carries fifteen more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that out of fifteen cases, petitioner is on bail in fourteen cases and one case is pending for consideration before the competent court of law.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Sitamarhi in connection with Riga P.S. Case No. 270 of 2025, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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