

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78069 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- CHAUTHAM District- Khagaria

Bobby Kumar S/o- Shalendar Ray Resident of Chautham PS- Chautham District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2026 Heard Mr. Santosh Kumar Singh, learned counsel
for the petitioner as well as Mr. Suresh Prasad Singh, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.06.2025 in connection with Chautham P.S. Case No. 134 of
2025, F.I.R. dated 29.05.2025 for the offences punishable under
Sections 303(2) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant
alleged that his motorcycle was stolen by someone when he
parked it in front of gate and went to participate in Kharif Maha
Abhiyan Program. Hence the FIR.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. It appears from the FIR that date of the occurrence



was on 28.05.2025 but the FIR was lodge on 29.05.2025 i.e. after delay of one day without giving any reason of delay. The petitioner is not named in the FIR and his name transpired during investigation and thereafter the petitioner had confessed his guilt in the present occurrence. It appears from the FIR and seizure list that the motorcycle in question was recovered from garage of Mukesh Kumar and except the confessional statement of the petitioner, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet and the petitioner is in custody since 01.06.2025 .

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaira in connection with Chautham P.S. Case No. 134 of 2025, subject to the following conditions:-



i. 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.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, 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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