IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79321 of 2026

CNR No. BRHC011156582026

Arising Out of PS. Case No.-651 Year-2025 Thana- CHHATAUNI District- East Champaran

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Vikash Kumar Son of Vinod Mehto @ Vinod Mahto Resident of village - Lon Baswariya, P.S.- Ghodasahan, District- East Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mrs. Harsha Shashwat, Adv.
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 25-11-2026 Heard learned Advocate for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Chhatauni P.S. Case No.651 of 2025 registered for the offence punishable under Section 303(2) of the BNS.

3. It is alleged that, on the fateful day, the informant had gone on his black-coloured Super Splendor motorcycle in connection with some personal work. However, upon returning after completion of the said work, he found his motorcycle missing, which ultimately led to the institution of the present FIR.

4. Learned Advocate for the petitioner submitted that the motorcycle in question was found missing on 30.10.2025,

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but surprisingly the FIR came to be instituted on 12.11.2025 against the unknown thief. However, subsequently the petitioner was apprehended in connection with Motihari Excise P.S. Case No. 2268 of 2025 along with the stolen motorcycle, and thereafter the name of the petitioner has been remanded in this case. It is the specific contention of the petitioner that the petitioner was not aware that the motorcycle was a stolen property, rather the same was offered by a friend, and as such, there is no material that it is the petitioner who had caused theft of the motorcycle.

5. On the other hand, learned Advocate for the State opposed the bail application and submitted that the petitioner was apprehended along with the stolen motorcycle, which prima facie establishes his complicity in the alleged offence.

6. Considering the submissions advanced by learned Advocates for the respective parties and taking note of the fact that the petitioner was apprehended by the police along with the stolen motorcycle, which is the subject matter of the present FIR, this Court is not acceded to the prayer for anticipatory bail of the petitioner. Accordingly, the same stands rejected.

7. However, if the petitioner surrenders before the Court below preferably within a period of four weeks from

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today, his prayer for bail shall be considered on its own merit(s) without being prejudiced by this order.

(Harish Kumar, J)

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