

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86938 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- ALIPUR District- Gaya

Kanhaiya Kumar S/O Binod Sharma @ Vinod Kumar R/O Vill.- Garaur
Kespa, P.S.- Alipur, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate. Mr. Mayank Raj, Advocate.
For the State	:	Mr. Rajendra Nath Jha, APP.
For the Informant	:	Mr. Praveen Kumar, Advocate. Mr. Ayush Shekhar, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 16-01-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Alipur P.S. Case No. 58 of 2025 registered for the offence
punishable under Sections 305/331(4) of BNS.

3. As per the allegation made in the F.I.R., theft took
place in the house of the informant by breaking the locks of the
room, in which the accused stole several household articles from
trunk and almirah.

4. Learned counsel appearing on behalf of the



petitioner submitted that the petitioner is innocent and he has committed no offence as alleged. Petitioner is not named in the F.I.R. Just because the petitioner is the co-villager, he has been roped in the present case on false accusation. Nothing has been recovered from the conscious physical possession of the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner and the fact that the petitioner is not named in the F.I.R. and nothing has been recovered from conscious physical possession of the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gayajee in connection with Alipur P.S. Case No. 58 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner



is involved in some other cases as what has been stated in Para-
3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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