

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85116 of 2025

Arising Out of PS. Case No.-98 Year-2025 Thana- ALIPUR District- Gaya

Kanhaiya Kumar Son of Binod Sharma @ Vinod Kumar Resident of Village -
Garaur Kespa, Police Station - Alipur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rakesh Kumar Sharma, Advocate
For the Opposite Party/s :	Mr. Rajendra Nath Jha, APP
For informant :	Mr. Praveen Kumar , Advocate
	Mr. Raju Kumar singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-01-2026 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under sections 303 (2) and 334 (1)
of BNS.

3 . The prosecution case in brief, is that informant
suspects that this petitioner committed theft of about 80 kg
pulses from the mill of the informant.

4. It is submitted on behalf of the petitioners that
informant is not an eye witness to the alleged occurrence and
only suspicion has been raised against this petitioner. F.I.R. has
been lodged after inordinate delay of 15 days for which there is
no plausible explanation which itself creates doubt over the



entire prosecution case . No stolen articles has been recovered from possession of this petitioner.

5 . Learned counsel for the State opposed the bail petition .

6 Considering the aforesaid facts and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be enlarged 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 Additional Chief Judicial Magistrate – VI Gayajee in connection with Alipur P.S. Case No. 98 of 2025 , subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita , 2023 .

(Prabhat Kumar Singh, J)

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