

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85539 of 2025

Arising Out of PS. Case No.-291 Year-2025 Thana- PIPRAKOTHI District- East Champaran

Nitesh Kumar, S/o Prem Mahto, R/o Village- Pipra Kothi Dih, P.S.- Pipra Kothi, Dist- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 85589 of 2025

Arising Out of PS. Case No.-291 Year-2025 Thana- PIPRAKOTHI District- East Champaran

Sonu Kumar Premchandra Mahto @ Premchand Mahto, R/o Village- Pipra Kothi Dih, P.S.- Pipra Kothi, Dist- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 85539 of 2025)

For the Petitioner/s : Mr. Karandeep Kumar, Adv.

For the Opposite Party/s : Ms. Renuka Ratnakar (APP-125)

(In CRIMINAL MISCELLANEOUS No. 85589 of 2025)

For the Petitioner/s : Mr. Karandeep Kumar, Adv.

For the Opposite Party/s : Ms. Renuka Ratnakar(APP-125)

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-01-2026 Since both these applications arising out of same F.I.R., they are being taken up together and are being disposed off by this composite order.

2. Heard the learned counsel for the petitioners and the learned Addl. Public Prosecutor for the State.

2. Both the petitioners, who are in custody, seek



bail in connection with Pipra Kothi P.S. Case No. 291 of 2025 registered for the offence(s) punishable under Section(s) 310(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant has alleged that seven accused persons on three motorcycles snatched away the *Apache* motorbike of the informant and his mobile phone.

4. The learned counsel for the petitioner/Nitesh Kumar [*Cr. Misc. No. 85539 of 2025*] submits that the petitioner is not named in the F.I.R. and that he has falsely been implicated in this case only on mere suspicion. It has next been submitted that the motorcycle which is said to have been recovered from the house of the petitioner belongs to him and by way of Annexure-2, the registration certification has been brought on record. It has next been submitted that the perusal of the chassis number of the stolen motorcycle and the motorcycle which has been recovered from the house of the petitioner, would suffice that the motorcycle actually belonged to the petitioner and not to the informant. It has further been submitted that till date, no T.I.P. has been conducted and the petitioner carries no criminal antecedent and he is in custody since 24.08.2025.

5. So far as the petitioner/Sonu Kumar [*Cr. Misc.*



No. 85589 of 2025] is concerned, it has been submitted that the petitioner is not named in the F.I.R. and his name has been surfaced in the confessional statement of co-accused/Nitesh Kumar. It has next been submitted that no incriminating article has been recovered from his conscious possession. It has lastly been submitted that the petitioner carries no criminal antecedent and he is in custody since 24.08.2025.

6. The learned Addl. Public Prosecutor for the State, appearing in both the cases, has vehemently opposed the prayer for grant of bail to the petitioners.

7. Regard being had to the facts and circumstances of the case and taking note of the fact that the petitioners have remained in custody since 24.08.2025, let the petitioners, above-named, be released on bail on their furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Pipra Kothi P.S. Case No. 291 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative and the other shall be a local resident.

(ii) The petitioners shall remain physically present before the concerned Court on each and every date of the



trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the concerned Court.

(iv) If the petitioners, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that they have concealed their criminal antecedents, the Court concerned shall take necessary steps for cancellation of their bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

9. Both the applications stand allowed and disposed off accordingly.

(Sourendra Pandey, J)

Praveen-II/-

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