

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87426 of 2025

Arising Out of PS. Case No.-370 Year-2025 Thana- DUMRA District- Sitamarhi

Krishna Kumar S/o Shiv Shankar Rai @ Shiv Shankar Yadav R/o village -
Amana @ ward no. -10, Majhaura Amana, P.S. -Sursand, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in Dumra P.S.
Case No. 370 of 2025 dated 01-08-2025 registered under
Sections 317(4), 317(5), 338, 336(3), 340(2) and 111 of the
Bharatiya Nyaya Sanhita, 2023 and Section 25(1-b)a, 26 and 35
of the Arms Act.

3. The allegation against the petitioner is that one
stolen motorcycle bearing Registration No.BR-30-AQ-8058 and
a country-made pistol were recovered from his possession.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that altogether five persons
were apprehended along with five motorcycles and on the basis



of the alleged statements of the apprehended persons a subsequent raid was conducted at a bamboo clump in Parsauni village, resulting in the recovery of three motorcycles from other co-accused persons. It is also submitted that none of the apprehended persons could produce valid documents with regard to the ownership of the recovered motorcycles. Learned counsel further submits that several other co-accused persons have already been granted bail by the learned court below. Lastly, it is submitted that the petitioner has been in judicial custody since 02.08.2025 and has four criminal cases, in all of which he is already on bail.

5. Learned Additional Public Prosecutor for the State has opposed the prayer.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi/ concerned Court in connection with Dumra P.S. Case No. 370 of 2025, subject to the following conditions:-(i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed 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) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that 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 and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.

7. The application stands allowed.

(Khatim Reza, J)

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