

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88419 of 2025

Arising Out of PS. Case No.-259 Year-2025 Thana- BARUN District- Aurangabad

Abhishek Kumar Son of Late Rajaram Singh Resident of Village and P.S.-
Tilauthu, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barun
P.S. Case No. 259 of 2025 instituted for the offences under
Sections 303(2), 317(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the motorcycle of
the informant which was parked by him in the campus of
Community Health Centre, Barun was stolen by unknown
persons.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The petitioner has been
remanded in this case from Tilauthu P.S. Case No. 180 of 2025.



No incriminating article has been recovered from the conscious possession of the petitioner rather the recovery of the motorcycle was made outside the house of the petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date to ascertain the involvement of the petitioner in the alleged offence. Learned counsel further submitted that petitioner has got no concern with the stolen motorcycle. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.07.2025 and has five criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barun P.S. Case No. 259 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(IV) If the petitioner is found involved in the similar nature of offence in future, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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