

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88966 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- RAJEPUR District- East Champaran

Subash Sahani @ Subhash Sahani @ Subhash Kumar Son of Lalbabu Sahni
Resident of Village-Madhuban Dihu Tola, P.S.- Kalyanpur, District- East
Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-01-2026 Heard Mr. Shashank Shekhar, learned counsel for the

petitioner and Mr. Madhura Nand Jha, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
28.07.2025 in connection with Rajepur P.S. Case No. 88 of
2025, F.I.R. dated 17.04.2025 for the offences punishable under
Section 303(2) of the B.N.S.

3. According to prosecution case, petitioner and other
co-accused persons are alleged to have stolen the motorcycle of
the informant.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel further submits that the petitioner



is not named in the F.I.R. and his name has been transpired on the basis of motorcycle in question has been recovered from the possession of the petitioner and the petitioner has been remanded in the present case in Garhiya Bazar P.S. Case No. 97 of 2025 and thereafter petitioner has confessed his guilt in the present occurrence. The police after investigation, submitted charge-sheet against the petitioner and the petitioner is in custody since 28.07.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four more criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, petitioner is not named in the F.I.R. and he has confessed his guilt in the present occurrence, let the petitioner, above named, be released 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Rajepur P.S. Case No. 88 of 2025, with the following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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