

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89263 of 2025

Arising Out of PS. Case No.-258 Year-2025 Thana- Kavaiya District- Lakhisarai

Harsha Kumar @ Suman S/O Aditya Singh R/O Village- Panhesa, P.S-
Panhesa, Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner seeks bail in connection with Kabaiya P.S. Case No. 258 of 2025 registered for the offences punishable under Sections 303(2), 317(2), 317(4), 111 and 3(5) of the BNS.

3. As per prosecution case, three persons including the petitioner were apprehended with the stolen motorcycle at Pachana Road Bye Pass Chowk and apprehended co-accused disclosed that this motorcycle has been stolen from Rajauli, Nawada. The apprehended accused persons further disclosed that black colored Honda Shine motorcycle bearing Registration No. BR-21L-1809 from Rajgir Bus Stand and Hero Honda Splendor bearing Registration No. BR-27-6572 from Nalanda



University were stolen by them and both the motorcycles had been parked at Lakhisarai Railway Station for sale. It is also disclosed that white colored Apache Motorcycle from Koderma, Jharkhand, Blue colored Glamour motorcycle from Sirdala, Nawada and black colored splendor motorcycle from Jamui Railway Station were stolen by the petitioner and others.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the FIR. He further submits that petitioner bears criminal antecedent of ten cases. He further submits that petitioner has falsely been roped in one case after another without any basis in a routine manner. Petitioner is in custody since 27.06.2025. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner by submitting petitioner is one of the person who has been apprehended on the spot with the stolen motorcycle and he bears criminal antecedent of ten cases. Hence, petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the



case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Kabaiya P.S. Case No. 258 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on each and every date without fail and absence on any date, without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(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) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he



shall get his presence marked before the officer-in-charge of the
concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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