

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90233 of 2025

Arising Out of PS. Case No.-209 Year-2024 Thana- AGIAON District- Bhojpur

1. Johan Kumar S/O Lal Babu Singh R/O Village- Asani, P.S- Udawantnagar, Distt.- Bhojpur.
2. Vikash Kumar S/O Vinod Singh R/O Village- Asani, P.S- Udawantnagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate
For the State : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-01-2026 Heard Mr. Prabhat Kumar Singh, learned counsel for the petitioners and Mrs. Renu Kumari, learned APP for the State.

2. Petitioners seek bail, who are in custody since 26.10.2025, in connection with Agiaon (G) P.S. Case No. 209 of 2024, F.I.R. dated 10.12.2024 registered for the offences punishable under Sections 303(2) of B.N.S. , 2023.

3. The F.I.R. of the occurrence of theft of motorcycle is against unknown.

4. Learned counsel for the petitioners submits that the petitioner no. 1 carries two more cases other than the present one and petitioner no. 2 carries one more case in which they are



on bail in the pending matters and they have been falsely implicated in the present case. He further submits that the motorcycle in question has been recovered in another case bearing Udwanthnagar P.S. Case No. 53 of 2025 and petitioner no. 1 is also accused in Udwanthnagar P.S. Case No. 53 of 2025 and he has been granted bail in Udwanthnagar P.S. Case No. 53 of 2025 under Section 30(a) of the Bihar Prohibition and Excise Act, 2018. Learned counsel for the petitioners submits that in the aforesaid Udwanthnagar P.S. Case No. 53 of 2025, illicit liquor along with motorcycle was also recovered from the place of occurrence and petitioners have no concern at all with the alleged recovery of motorcycle in question. He further submits that the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 26.10.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners and submits that the motorcycle was recovered from the possession of the petitioners in Udwanthnagar P.S. Case No. 53 of 2025 and apart from aforesaid petitioner no. 1 carries two more cases and petitioner no. 2 carries one more case but fairly submitted on the basis of paragraph-3 of the bail petition that



the petitioners are on bail in the pending matters.

6. Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Bikramganj, Rohtas in connection with Agiaon (G) P.S. Case No. 209 of 2024, subject to the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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