

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91812 of 2025

Arising Out of PS. Case No.-153 Year-2025 Thana- PATNA CITY CHOWK District- Patna

Batto @ Rahul Kumar, S/o Om Prakash Yadav, R/o Village- Bhaisani Tola,
P.S.- Malsalami, Dist- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Rajeev Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chowk
P.S. Case No.153 of 2025, dated.19.04.2025, registered for the
offences punishable under Sections 317(5), 317(4), 3(5) of the
B.N.S., 2023.

3. As per allegation, police got information that two
persons are going to sell a stolen motorcycle and when the
police reached the place of seizure of the motorcycle, they
found two persons on motorcycle standing in starting mode was
talking to another person. After seeing the police, two persons
fled away and one co-accused, Aman Kumar was arrested on the
spot, who confessed to the police that the persons who had fled
away were the Petitioner, Batto and the co-accused, Radha



Kumar and it was further confessed that it is Batto, who had stolen the motorcycle and has brought it here.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the Petitioner has nothing to do with the alleged offence and he is no way connected with the motorcycle in question and his name has transpired only in the confessional statement of the co-accused, which has no legal value.

5. He further submits that the petitioner has been languishing in jail since 09.07.2025.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has earlier been made accused in four other cases.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the



sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Chowk P.S. Case No.153 of 2025 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong,



learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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