

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91493 of 2025

Arising Out of PS. Case No.-385 Year-2025 Thana- KHIJARSARAI District- Gaya

1. Gautam Kumar S/o Dilip Thakur R/O Village- Rauniya, P.S.-Khizarsarai, District- Gaya
2. Md. Nasir Ansari S/O Md. Sahabuddin R/O Village- Rauniya, P.S.-Khizarsarai, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sauravh Singh, Adv.
For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioners and
learned A.P.P for the State.

2. The petitioners seek bail in connection with Khizarsarai P.S. Case No. 385 of 2025 dated 18.11.2025 registered for the offences punishable under Sections 317(5), 318(4), 338, 336(3) and 3(5) of the B.N.S. Act.

3. As per the prosecution case, the police while regular check, intercepted a motorcycle and apprehended two persons including the petitioners. It is alleged that it was found that the apprehended persons had changed the registration number of the said motorcycle. It has also been alleged that it was detected that the original number of bike was different and



it was registered in the name of Abhishek Kumar who had reported about the theft of the same in the year 2021.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case. It has further been submitted that the petitioner no. 1 in his confessional statement stated that he had got the said motorcycle from his friend and he was merely driving the same and he has no concern with the said motorcycle. It has lastly been submitted that the petitioners have clean antecedent and they are in custody since 16.10.2025.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case, the petitioners are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor court in connection with Khizarsarai P.S. Case No. 385 of 2025, subject to the following terms and conditions :-

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and



every date fixed, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the Court concerned.

(iv) The trial court 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 trial court shall take step for cancellation of bail bonds 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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