

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90581 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- Gadhiya Bazar District- East Champaran

Rahul Kumar, S/o- Jagarnath Das @ Jagarnath Das, R/v- Purani Bazar
Madhuban, P.s.- Madhuban, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar, Advocate
	Mr. Hemant Ray, Advocate
For the Opposite Party/s :	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Garahiya Bazar P.S. Case No. 97 of 2025 registered for the offence punishable under Sections 317(2), 317(4), 338, 336(3) and 3(5) of B.N.S.

3. The case of the prosecution, in short, is that the police had information that certain accused were involved in sale of stolen bikes. On this input, checking of the vehicle was started. One bike was intercepted. It is alleged that one person managed to flee away whereas the petitioner was apprehended with a bike. The petitioner could not show the documents regarding the bike.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has further been submitted that actually the main accused has fled away. Petitioner is only the passerby. Nothing has been recovered from his possession. It has also been submitted that witnesses of the seizure list are police personnel. Police has not followed Section 105 of the B.N.S.S. while making the seizure. Petitioner is languishing in judicial custody since 21.05.2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-F.C., Motihari, East Champaran in connection with Garahiya Bazar P.S. Case No. 97 of 2025.

(Ashok Kumar Pandey, J)

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