

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90843 of 2025

Arising Out of PS. Case No.-335 Year-2025 Thana- MOHANPUR District- Gaya

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Pappu Kumar @ Nanhaka S/O Kedar Thakur R/O Village- Naudiha, P.S.-
Fatehpur, District -Gaya Ji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Durgesh Nandan, learned counsel for the

petitioner and Mr. Dilip Kumar No. 1, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
26.08.2025 in connection with Mohanpur P.S. Case No. 335 of
2025, F.I.R. dated 24.08.2025 for the offences punishable under
Section 303(2) of the BNS and subsequently Section 317(2) of
the BNS, 2023 was added.

3. According to prosecution case, some unknown
miscreants have stolen two motorcycles from the informant's
door.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. It appears from the F.I.R that the petitioner is not



named in the F.I.R and his name has been transpired during investigation on the basis of suspicion and except the aforesaid, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the recovery has been made near the railway track. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Pankaj Kumar and another have been granted bail by a Co-ordinate Bench of this Court vide order dated 03.12.2025 passed in Cr. Misc. No. 80080 of 2025. The petitioner is in custody since 26.08.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one but fairly submits that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Sherghati, Gayaji in connection with Mohanpur P.S. Case No.



335 of 2025, subject to the following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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