

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.294 of 2026

Arising Out of PS. Case No.-363 Year-2025 Thana- GHORASAHAN District- East
Champaran

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Rupesh Kumar Son of Late Surendra Prasad @ Late Surendra Roy Resident
of village - Kaswa Kadamwa, P.S.- Ghorasahan, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

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

2. The petitioner is in custody in connection with
Ghorasahan P.S Case No. 363 of 2025 registered for the
offences punishable under Sections 317(4), 317(5), 3(5) of the
BNS.

3. As per allegation in the FIR, petitioner is alleged to
have stolen motorcycle and was selling to other person.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner's name has been figured from the
confessional statement of the co-accused namely Krishna
Prakash Kumar Kushwaha. He further submits that petitioner



has not been arrested on spot. Moreover, there is no recovery made from the conscious possession of the petitioner. He further submits that petitioner is in custody since 02.11.2025 having one antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order dated 28.11.2025, it appears that petitioner's name has been figured from the confessional statement of the co-accused. Moreover, petitioner has not been arrested from the spot. So considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sikrahana at Dhaka in connection with Ghorasahan P.S Case No. 363 of 2025.

(Ramesh Chand Malviya, J)

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