

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38047 of 2026

Arising Out of PS. Case No.-144 Year-2026 Thana- BAIKUNTHPUR District- Gopalganj

Lakhi Narayan Sah S/o- Asarfi Sah Resident of Village- Digwa Dwali, P.S-
Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Baikunthpur P.S. Case No. 144 of 2026 lodged on 10.03.2026, for the offence punishable under Sections 303(2) & 318(4) of the Bharatiya Nyaya Sanhita, 2023 and section 7 of the Essential Commodities Act, 1955.

3. As per the prosecution, FIR has been lodged against the sole petitioner with allegation that he used to reduce the weight of sacks arriving at the warehouse (government godown) by taking out food grains.

4. Learned counsel for the petitioner submits that the petitioner is innocent, committed no offence and has been



falsely implicated in this case. Counsel submits that the petitioner is a labour working in the government godown and with a view to carry the bags, he used *sikni*, but defence has been taken that the godown manager forced the petitioner to make *sikni* more times so that the weight of the bag be minimized. But, it has been alleged against the petitioner that he has done these things by his own. Counsel further submits that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that the petitioner is a poor labour.

6. This Court is surprised that, despite the petitioner having disclosed the entire *modus operandi* to his superior, the petitioner himself has been made accused in this case instead of the actual wrongdoer. It is an unfortunate situation in the opinion of the Court.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of District &



Addl. Sessions Judge-I, Gopalganj, in connection with
Baikunthpur P.S. Case No. 144 of 2026, subject to the
conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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