

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2377 of 2025

Arising Out of PS. Case No.-426 Year-2024 Thana- MADANPUR District- Aurangabad

Sampat Kumar @ Sanpat Kumar S/O Mahendra Malakar R/O Village- Akoni,
P.S- Rafiganj, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupa Kumari, Adv

For the Opposite Party/s : Mr.Abhay Kumar, APP

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

ORAL ORDER

3 09-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Madanpur P.S Case No. 426/2024 registered for the offences
punishable under Sections 303(2), 317(5), 317(2) of B.N.S.

3. As per allegation in the FIR, petitioner has stolen
the tractor of the informant bearing Registration No. BR-26GB-
5398 when he has parked his tractor near PACS godown.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner is not named in the FIR as FIR has been
registered against unknown accused persons. Moreover,
informant has lodged the FIR when people caught him and
assaulted him. As per the confession of the petitioner, he was



provided the traction by one Avinash Kumar who said that he is the owner of the alleged tractor had given the tractor to deliver to someone else which show that petitioner has not stolen the alleged vehicle rather he was misguided. It is also submitted that petitioner is in judicial custody since 22.10.2024 possess one criminal antecedent of similar nature.

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

6. On perusal of the FIR, impugned order dated 22.10.2024, it appears that the alleged tractor bearing Registration No. BR-26GB-5398 has been recovered from the possession of the petitioner and when he was asked for proper documents, he was unable to provide. He also possess one similar criminal antecedent, therefore, considering all aspects of the matter and submissions made on behalf of the learned counsel for the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

8. However, petitioner is at liberty to renew his prayer for bail after completion of one year in custody before the Trial Court.

(Ramesh Chand Malviya, J)

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