

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18004 of 2025

Arising Out of PS. Case No.-496 Year-2024 Thana- RAJGIR District- Nalanda

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1. Pankaj Kumar Son of Ram Swarup Yadav Resident of Village- Keshaurya, P.s.- Nardihganj, Distt.- Nawada
 2. Pawan Kumar Son of Prasad Yadav Resident of Village- Keshaurya, P.s.- Nardihganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Rajgir P.S. Case No.-496 of 2024 dated 27.10.2024, registered for the offences punishable under Sections 303(2), 317(2) and 132 of B.N.S., 2023.

3. As per allegation, two tractors bearing Registration Nos. BR-276GA4078 and BR-27GA4028 were found to be loaded with sand having valid *chalan* which was issued just 40 minutes ago and it was not possible for the tractors to cover 30 kilometres within 40 minutes. Hence, they have suspicion that



the sand was stolen and being carried without any chalan.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that admittedly, the petitioners are owners of the two tractors and their tractors were being used to carry sand with valid chalan.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Bihar Sharif, in connection with Rajgir P.S. Case No.-496 of 2024, subject to the



conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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