

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22344 of 2025

Arising Out of PS. Case No.-656 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

Mishrilal Rai Son of Rajman Rai Resident of Village - Panchrukha Ward No.
13, P.S. - Banjariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar II, Advocate
For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-05-2025 Heard learned counsel appearing on behalf of the
petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Muffasil Motihari P.S.Case No.656 of 2024, registered for the
offences punishable under Sections 317(5) of BNSS, 2023.

3. As per the allegation made in the FIR, the petitioner
was found involved in illegal sale of stolen diesel and total 600
ltr. of diesel was recovered from the house of the petitioner. The
present FIR has been lodged against the petitioner at the
instance of the local Chowkidar.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is a farmer and for the
agricultural purpose, he has purchased 600 ltrs. diesel from Jay



Ambe Kisan Dewa Kendra, East Champaran after making payment of total Rs.56,232/-, as such, the storage can not be said to be illegal in any manner. The petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made in the FIR, as well as, the fact that the petitioner has been able to bring on record, the purchase receipt of the diesel dated 29.12.2024 and the alleged seizure was conducted on 31.12.2024 and the FIR was lodged on the same day.

7. I view of the above fact, I find that the petitioner has *prima facie* made out a case to be released on pre-arrest bail.

8. The the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.50,000/- (Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, East Champaran/concerned court, in connection with Muffasil Motihari P.S.Case No.656 of 2024, subject to conditions as laid down under Section 482(2) of BNSS of 2023.



9. At the time of furnishing the bail bond, the petitioner will furnish certified copy of Khatians relating to the land, which are being owned by the petitioner and his other family members.

10. The learned district court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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