

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41323 of 2025

Arising Out of PS. Case No.-837 Year-2024 Thana- BIHTA District- Patna

Manoj Kumar Maharaj S/O Late Krishna Dev Kunwar Village- Khawashpur
Kalan, P.S.- Doriganj, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh

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

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail

has been filed by the petitioner apprehending his arrest in

a case instituted for the offence punishable under

Sections 303(2), 317, 3(5) of the Bharatiya Nyaya

Sanhita.

3. As per the allegations made in the F.I.R., a

boat loaded with illegally extracted yellow sand was

seized by the police during a raid. The petitioner is alleged

to be the owner of the said boat.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that the petitioner has been falsely implicated in the present case solely on the ground that he is the owner of the said boat. It is further submitted that neither the petitioner has any connection with the sand, allegedly loaded on the boat, nor he was present at the place of occurrence. Nothing has been recovered from his conscious possession and he has not been named in the F.I.R. His name surfaced during the course of investigation on the basis of the confessional statement of co-accused Shankar Sah, who was the driver of the boat and to whom the petitioner had given the boat for running his business. It is also stated in paragraph 3 of the petition that the petitioner has no criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer of bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated



above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bihta P.S. Case no. 837 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate II, Danapur, Patna, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Nirajkrs/-

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