

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51905 of 2025

Arising Out of PS. Case No.-406 Year-2019 Thana- ARARIA District- Araria

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Munna @ Munna Mustaque Son of Md. Jainuddin @ Zainuddin @ Jainuddin
@ Md. Jainudeen Resident of village- Jhirua Purwari Purwa Jhirua PS-
Simraha District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhav Jha

For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-08-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Araria P.S. Case No. 406 of 2019, registered for the offences punishable under Section 392 of the Indian Penal Code.

3. Allegedly the informant, who was a tractor driver employed for the purposes of transportation of food grains and in course of transportation when he reached near the Career Academic at NH-57 at about 11 pm., in the meanwhile, three persons came on a motorcycle and pulled down the informant and fled away with the tractor loaded with maize.

4. Learned Advocate for the petitioner submitted that the FIR has been instituted against unknown four miscreants



and moreover during the course of investigation no cogent materials have come against the petitioner. After completion of investigation, the I.O. of the case submitted supplementary charge sheet No. 343/2022 dated 30.04.2022 against three accused persons under Sections 392 and 411 of the Indian Penal Code and the petitioner was not sent up for trial. However, learned Chief Judicial Magistrate, Araria differing with the final report took cognizance of the afore noted offence against the petitioner also. Hence, the present application for anticipatory bail.

5. On the other hand, learned Advocate for the State opposes the bail application and submits that four persons were found involve in the crime and the petitioner is said to be one of them.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of fact that no materials have been collected during the investigation against the petitioner and, as such, he was not sent up for trial and differing with the final report cognizance has been taken by the learned court below, coupled with the fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within



a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 406 of 2019, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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