

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60757 of 2025

Arising Out of PS. Case No.-472 Year-2024 Thana- RANIYATALAB District- Patna

Vishal Kumar son of Awadhesh singh Resident of village- Ward no. 10,
Achhua, Ps- Rani Talab, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-09-2025 Heard Mr. Rakesh Bihari Singh, learned counsel for
the petitioner and Ms. Shaheen Begum, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Rani Talab P.S. Case No. 472 of 2024, F.I.R. dated 24.12.2024 for the offences punishable under Sections 303(2), 317(2), 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, on 24.12.2024 the informant got information that a Mahindra Tractor was transporting illegal sand without a valid challan. Accordingly, the informant along with police personnel reached the place of occurrence and seized the loaded tractor.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. From bare perusal of the FIR, it appears that the driver of the tractor was apprehended along with the tractor in question. There is no allegation against the petitioner and he has been made accused merely on the basis that he is the owner of the tractor in question.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and he has been made accused merely on the basis that he is the owner of the tractor in question, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-VII, Danapur, Patna in connection with Rani Talab P.S. Case No. 472 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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