

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66473 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- HISUWA District- Nawada

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Nilesh Kumar S/o- Ramanuj Kumar @ Ramanuj Singh Vill - Chhatihar, P.S -
Hisua, Dist - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Hisuwa P.S. Case No. 18 of 2025 for the offence under sections 303(2) and 317(2) of the BNS lodged on 13.01.2025 by the informant, Rupa Kumari.

3. As per the prosecution story, the informant alleged that two loaded tractors with illegal sand was intercepted and when the Police reached there while one tractor unloaded the sand, stopped the engine and tried to escape, another tractor driver left it in the field and both managed to escape. It was seized and later came to know that one of the trailer belongs to the petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that he has absolutely no concern either with the two tractors or the



trailers but due to local rivalry, implicated. The fact that he has not claimed the trailer before the Police shows his bona fide and only because of criminal antecedent, he has been implicated.

5. Learned APP opposes the prayer submitting that the locals have informed that the trailer belongs to him.

6. Taking into account the submissions of the parties as also that the petitioner has made a clear submission that the tractors and/or the trailers do not belong to him nor he will ever claim for its recovery/release, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Hisuwa P.S. Case No. 18 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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