

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73579 of 2025

Arising Out of PS. Case No.-441 Year-2024 Thana- HUSSAINGANJ District- Siwan

Bharat Bhagat @ Bharat Kumar Son of Suresh Bhagat Ro Badram, P.S. -
Hussainganj, Dist. - Siwan, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-11-2025 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 317(5) of the BNSS.

3. According to prosecution case, from a secret tip received by SHO Vijay Kumar Yadav of Hussainganj P.S. on 15 December 2024 at 3:45 AM, alleging that the petitioner, Bharat Bhagat, had stored stolen goods in his house at Badram and intended to sell them. A police team reached the location at 4:30 AM, where a man, identified by locals as Bharat Bhagat, escaped from the back of the house in the darkness. Two independent witnesses, Anil Prasad and Dharmendra Kumar, were then called, and a search of the house was conducted. Numerous suspected stolen items, including electronic accessories, clothing, tools, and household items, were



recovered and seized in their presence.

4. Learned counsel for the petitioner submits that the petitioner is a self employed mechanic specializing in repair of household electrical and electronic items and all the goods recovered from his residence, including the electrical accessories and appliances, legitimately belong to his customers and is merely stored in his residence, which is said to have been seized / recovered by the Police. The petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that the petitioner is a mechanic and all the seized electrical articles were legitimately belonging to his customers, which were handed over to him for repair. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her 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 District Additional Sessions Judge,



IX, Siwan, Bihar, in connection with Hussainganj P.S. Case No. 441 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) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;

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

(Ajit Kumar, J)

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