

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84851 of 2025

Arising Out of PS. Case No.-165 Year-2025 Thana- SARAI District- Vaishali

Binod Ray, S/o Bindeshwar Ray, R/o Village- Abadulpur @ Ganga Harpur, ward no.-10, Panchayat-Rasulpur Mubarak, P.S- Mahua, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi,

For the Opposite Party/s : Ms. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 15-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Sarai P.S. Case No.165 of 2025 registered for the offence punishable under Section 303(2) of the B.N.S. but chargesheet has been submitted and cognizance taken under Sections 303(2) and 317(2) of the B.N.S.

3. The case of the prosecution, in short, is that the tractor of the informant was loaded with cement which was standing at his Godown. The same was having the GPS facility as well. He received message on his mobile that his tractor was standing in ward no.10, Panchayat- Rasulpur Mubarak. When he reached the location, he saw that some persons were unloading



the cement from the vehicle. It is alleged that the villagers disclosed the name of the persons.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. His name has surfaced as the villagers have disclosed his name. It has further been submitted that from perusal of the order of the learned trial Court it is clear that five bags of cement were recovered from this petitioner. Learned counsel for the petitioner has submitted that the only allegation against this petitioner is that five bags of the cement were recovered from his possession which attracts only Section 317(5) of the B.N.S. and for that offence, the punishment is only three years. Petitioner is languishing in judicial custody since 23.06.2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of four cases. .

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned
A.C.J.M.-X, Vaishali at Hajipur in connection with Sarai P.S.
Case No. 165 of 2025.

(Ashok Kumar Pandey, J)

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